



# भारत का राजपत्र The Gazette of India

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NEW DELHI, SATURDAY, MARCH 19, 1994/MAGHA 28, 1915

इस भाग में दिए गए अधिसूचनाएँ इस प्रकार हैं कि वह अलग-अलग के रूप में  
इस भाग में हैं

Separate Parting is given to this Part in order that it may be filed as a  
separate compilation

भाग II—खण्ड 3—उप-खण्ड (II)  
PART II—Section 3—Sub-section (II)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएँ  
Statutory Orders and notifications issued by the Ministries of the Government of India (other than  
Ministry of the Defence)

योजना तथा कार्यक्रम कार्यान्वयन मंत्रालय

(सांख्यिकी विभाग)

नई दिल्ली, 22 फरवरी, 1994

MINISTRY OF PLANNING & PROGRAMME

IMPLEMENTATION

(Department of Statistics)

New Delhi, the 22nd February, 1994

का. आ. 723.—श्री चित्रा तिरुनल आर्यविज्ञान तथा प्रौद्योगिकी संस्थान, तिरुवनन्तपुरम के निदेशक तथा दिनांक 22 जून, 1993 की समसंख्यक अधिसूचना के तहत अधिसूचित भारतीय सांख्यिकीय संस्थान अधिनियम (संख्या 57), 1959 की धारा 8 की उपधारा (1) के अन्तर्गत गठित समिति 1994-95 के सदस्य, डा. एम. एस. वालिवथन का समिति की सदस्यता से त्यागपत्र 5 फरवरी 1994 से स्वीकार कर लिया गया है।

S.O. 723.—The resignation of Dr. M. S. Valiathan, Director, Sree Chitra Tirunal Institute of Medical Sciences & Technology, Thiruvananthapuram and a Member of the Committee 1994-95 constituted under Sub-section(1) of Section 8 of the Indian Statistical Institute Act (No 57), 1959 notified vide Notification of even number dated 22nd June, 1993, has been accepted from the Membership of Committee with effect from 15th February, 1994.

[संख्या एम-12011/3/89-समन्वय]

नरेन्द्र गुप्ता, उप सचिव

[No. M. 12011/3.89-Coprd]

NARINDER GUPTA, Dy. Secy

वित्त मंत्रालय

(राजस्व विभाग)

नई दिल्ली, 1 जनवरी, 1994

(आयकर)

फा. भा. 724-आयकर अधिनियम 1961 (1961 का 43) की धारा 10 के खंड (23-ग) उपखंड (V) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा "समस्त केरल जमायतुल उलमा कालीकट, केरल" को कर-निर्धारण वर्ष 1990-91 से 1992-93 तक के लिए निम्नलिखित शर्तों के अधीन रहते हुए उक्त उपखंड के प्रयोजनार्थ अधिसूचित करती है, अर्थात्:—

(i) कर-निर्धारिती इसकी आय का इस्तेमाल अथवा इसकी आय का इस्तेमाल करने के लिए इसका संचयन पूर्णतया तथा अनन्यतया उन उद्देश्यों के लिए करेगा जिनके लिए इसकी स्थापना की गई है;

(ii) कर-निर्धारिती ऊपर उल्लिखित कर-निर्धारण वर्षों की संगत पूर्ववर्ती वर्षों की किसी भी अवधि के दौरान धारा 11 की उपधारा (5) में विनिर्दिष्ट किसी एक अथवा एक से अधिक ढंग अथवा तरीकों से भिन्न तरीकों व इसकी निधि (जेवर-जवाहिरात, फर्नीचर आदि के रूप में प्राप्त तथा रख-रखाव के स्वेच्छिक अंशदान व भिन्न) का निवेश नहीं करेगा अथवा उसे जमा नहीं करवा सकेगा;

(iii) यह अधिसूचना किसी ऐसी आय के संबंध में लागू नहीं होगी जो कि कारोबार से प्राप्त लाभ तथा अभिलाभ के रूप में हो जब तक कि ऐसा कारोबार उक्त कर-निर्धारिती के उद्देश्यों की प्राप्ति के लिए प्रासंगिक नहीं हो तथा ऐसे कारोबार के संबंध में अलग से लेखा-पुस्तिकाएं नहीं रखी जाती हों।

[अधिसूचना सं. 9450/फा सं. 197/143/93-आयकर नि. I.]

शरत चन्द्र, अवर सचिव

# MINISTRY OF FINANCE

(Department of Revenue)

New Delhi, the 11th January, 1994

## (INCOME-TAX)

S.O. 724.—In exercise of the powers conferred by sub-clause (v) of clause (23C) of Section 10 of the Income-tax Act, 1961 (5 of 1961), the Central Government hereby notifies Samastha Kerala Jam Iyyathul Ulama, Calicut, Kerala for the purpose of the said Sub-clause for the assessment years 1990-91 to 1992-93 subject to the following conditions, namely:—

- (i) the assessee will apply its income or accumulate for application, wholly and exclusively to the objects for which it is established;
- (ii) the assessee will not invest or deposit its funds (other than voluntary contributions received and maintained in the form of jewellery, furniture etc.) for any period during the previous years relevant to the assessment years mentioned above otherwise than in any one or more of the form or modes specified in Sub-section (5) of Section 11;

(iii) this notification will not apply in relation to any income being profits and gains of business, unless the business is incidental to the attainment of the objectives of the assessee and separate books of accounts are maintained in respect of such business

[Notification No. 9450/F. No. 197/143/93-ITA-I]

SHARAT CHANDRA, Under Secy.

आदेश

नई दिल्ली, 2 मार्च 1994

फा. भा. 725.—भारत सरकार के संयुक्त सचिव ने जिसे विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा के अधीन आदेश फा. सं. 673/55/93 सी. शु. - 8, दिनांक 19-5-9 को यह निदेश जारी किया था कि श्री राजेश गुप्ता सुपुत्र श्री बी. पी. नुसल. ए-2/120-121 जनकपुरी, नई दिल्ली को निरुद्ध कर लिया जाए और केन्द्रीय कारागार तिहार, नई दिल्ली में अतिरक्षा में रखा जाए ताकि उसे भविष्य में माल की तस्करी करने और तस्कृत माल के परिवहन का काम करने में अन्यथा तस्कृत माल का व्यवहार करने से निवारित रखा जाए।

2. केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या अपने को छिपा रहा है जिससे उक्त आदेश का निष्पादन नहीं हो सके;

3. अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 7 की उपधारा (1) के खंड (ख) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निर्देश देती है कि पूर्वोक्त व्यक्ति इस आदेश के शासकीय राजपत्र में प्रकाशन के 7 दिन के भीतर पुलिस आयुक्त, नई दिल्ली के समक्ष हाजिर हों।

[फा. सं. 673/55/93 - सी. शु. - 8]

जे. एल. साहनी, अवर सचिव

## ORDER

New Delhi, the 2nd March, 1994

S.O. 725.—Whereas the Joint Secretary to the Government of India, specially empowered under Sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued under F. No. 673/55/93-Cus VIII dated 19-5-1993 under the said Sub-section directing that Shri Rajesh Gupta, S/o Sh. V. P. Bansal, A-2/120-121, Janakpuri, New Delhi, be detained and kept in custody in the Central Jail Tihar, New Delhi, with a view to preventing him from smuggling goods and dealing in smuggled goods otherwise than by engaging in transporting smuggled goods in future.

2. Whereas, the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed;

3. Now, therefore in exercise of power conferred by Clause (b) of Sub-section (1) of Section 7 of the said Act the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Delhi within 7 days of the publication of this order in the official Gazette.

[F. No. 673/55/93-CUS. VIII]

J. L. SAWHNEY, Under Secy.

## मुख्य आयकर आयुक्त का कार्यालय

[आयकर महानिदेशक (अन्वेषण) (पश्चिम) कार्यालय]

अहमदाबाद, 25 जनवरी, 1994

(आयकर)

का. आ. 726:—मुख्य आयकर आयुक्त, अहमदाबाद, मुख्य आयकर आयुक्त-2, अहमदाबाद एवं आयकर महानिदेशक (अन्वेषण) पश्चिम, अहमदाबाद द्वारा जारी अधिसूचनाओं का अधिक्रमण करते हुए तथा आयकर अधिनियम, 1961 की धारा 120 की उपधारा (1) के अधीन और उक्त धारा के अधीन केन्द्रीय प्रत्यक्ष कर बोर्ड, नई दिल्ली द्वारा इस संबंध में जारी अधिसूचना नं. 9413 (फा० नं० 279/129/93-आईटीजे (पार्ट) तारीख 19 नवम्बर, 1993 [एस० ओ० नं० 879] (ई) एवं एस० ओ० नं० 45(ई) तारीख 21-1-1994 द्वारा अधोहस्ताक्षरी को प्रदत्त शक्तियों का प्रयोग करते हुए, मुख्य आयकर आयुक्त अहमदाबाद, मुख्य आयकर आयुक्त-2, अहमदाबाद एवं आयकर महानिदेशक (अन्वेषण) पश्चिम अहमदाबाद, इसके द्वारा निदेश देते हैं कि निम्न अनुसूची के कालम 2 में दर्शाए गए आयकर आयुक्त (अपील), कालम 3 में विनिर्दिष्ट आयकर वार्ड, सर्कल, रेंज कार्यालयों में आयकर/घनकर/वान कर/अधिकार/व्याज का करनिर्धारण किये गये व्यक्ति, जो आयकर अधिनियम, 1961 (1961 का 43) की धारा 246 की उपधारा (2) के खंड (ए) से (एच) तक उल्लिखित या कंपनी (लाभ) अधिकार अधिनियम, 1964 (1964 का 7) की धारा II या व्याज कर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) में उल्लिखित किसी आदेश से असंतुष्ट हों, उनके संबंध में तथा बोर्ड द्वारा निर्दिष्ट या आयकर अधिनियम, 1961 की धारा 246 की उपधारा (2) के खंड (1) के प्रावधानों के अनुसार अधोहस्ताक्षरी द्वारा अभिष्य में निर्दिष्ट होने वाले व्यक्ति या व्यक्ति प्रवर्गों के संबंध में कार्य करेंगे। अनुसूची में कालम 3 में उल्लिखित प्रभारों के मामलों से संबंधित अपील, जो गुजरात के विभिन्न आयकर आयुक्त (अपील) के समक्ष अनिर्णीत पड़े हों कालम 3 में उल्लिखित आयकर आयुक्त (अपील) को 31 जनवरी, 1994 से स्थानान्तरित किए जाते हैं।

## अनुसूची

क्रमांक	मुख्यालय सहित आयकर आयुक्त (अपील) प्रभार	आयकर उप आयु., आयकर उप निदे. (अन्वे), सहायक आयकर निदेशक (अन्वे) या उनके अधिकारिता के अन्तर्गत आने वाले निर्धारण अधिकारियों द्वारा पारित आवेशों के खिलाफ व अपीलों के अधिकार क्षेत्र
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1	2	3
1. आयकर आयुक्त (अपील)-3, अहमदाबाद	(क) पाटण सर्कल/वार्ड सहित आयकर उप आ, अहमदाबाद रेंज-7, अहमदाबाद	
2. आयकर आयुक्त (अपील)-4, अहमदाबाद	(क) मेहसाणा सर्कल/वार्ड सहित आयकर उप आयुक्त, अहमदाबाद रेंज-5, अहमदाबाद (ख) आयकर उप आयुक्त, विशेष रेंज-2, अहमदाबाद (ग) संपदा शुल्क सर्कल, अहमदाबाद	
3. आयकर आयुक्त (अपील)-5, अहमदाबाद	(क) आयकर उप आयुक्त, अहमदाबाद रेंज-1, अहमदाबाद (ख) आयकर उप आयुक्त, विशेष रेंज-6, अहमदाबाद (ग) आयकर उप आयुक्त, विशेष रेंज-7, अहमदाबाद (घ) आयकर आयुक्त गुजरात-1 प्रभार का कोई अन्य सर्कल, वार्ड या रेंज जो इस आदेश के द्वारा किसी अन्य आयकर आयु. (अपील) को विशेष रूप से नहीं सौंपे गए हों	
4. आयकर आयुक्त (अपील)-3, अहमदाबाद	(क) सुरेन्द्र नगर सहित आयकर उप आयुक्त अहमदाबाद रेंज-4 अहमदाबाद (ख) आयकर उप आयुक्त विशेष रेंज-4, अहमदाबाद (ग) आयकर उप आयुक्त, स्पेशल रेंज-8, अहमदाबाद	
5. आयकर आयुक्त (अपील)-8, अहमदाबाद	(क) आयकर उप आयुक्त, अहमदाबाद रेंज-8, अहमदाबाद (ख) आयकर आयुक्त गुजरात-3 प्रभार के अन्य कोई सर्कल, वार्ड या रेंज कार्यालय, जो इस आदेश से अन्य किसी आयकर आयुक्त (अपील) को नहीं सौंपे गए हों।	

1	2	3
6. आयकर आयुक्त (अपील) -9 अहमदाबाद	(क) आयकर उप-आयुक्त, अहमदाबाद रेंज-4, अहमदाबाद	
	(ख) आयकर उप-आयुक्त, अहमदाबाद रेंज-10, अहमदाबाद	
	(ग) आयकर उप-आयुक्त, विशेष रेंज-5, अहमदाबाद	
7. आयकर आयुक्त (अपील) -1, बड़ौदा	(ग) आयकर उप-आयुक्त विशेष रेंज-1, बड़ौदा	
	(बी) निम्नलिखित सर्कल के संबंध में 1-4-92 से पूर्व विद्यमान निर्धारण अधिकारियों के सभी वाई. सर्कल—	
	1. आपद सर्कल।	
	2. पेटलाद सर्कल	
	3. नाडियाद सर्कल	
	(सी) उपर्युक्त मद सं. (बी) में निर्दिष्ट वाई/सर्कल के सभी निर्धारण अधिकारी जो 1-4-92 को या उसके बाद पुनर्निर्दिष्ट किए गए हों।	
8. आयकर आयुक्त (अपील) -2, अहमदाबाद	(ए) आयकर उप-आयुक्त, विशेष रेंज-1, बड़ौदा	
	(बी) निम्नलिखित सर्कल के संबंध में 1-4-92 के पूर्व से कार्यरत सभी निर्धारण अधिकारी—	
	1. आय. अधि० टी० डी० एम० सहित सर्कल-2, बड़ौदा	
	2. गोधरा सर्कल	
	3. भरुच सर्कल	
	4. सम्पदा शुल्क सर्कल, बड़ौदा	
	(सी) उपर्युक्त मद सं० (बी) में विनिर्दिष्ट वाई/सर्कल के सभी निर्धारण अधिकारी जो 1-4-1992 को या उसके पश्चात् पुनर्निर्दिष्ट किए गए हों।	
9. आयकर आयुक्त (अपील) -3, बड़ौदा	(ए) निम्नलिखित सर्कल के संबंध में 1-4-92 से कार्यरत सभी निर्धारण अधिकारी—	
	1. सर्कल - 1 बड़ौदा (आय. अधि.)	
	(बी) टी. डी. एम - 1 (बड़ौदा सहित)	
	(बी) उपर्युक्त मद सं. (ए) में विनिर्दिष्ट वाई/सर्कल के सभी निर्धारण अधिकारी जो 1-4-92 को या उसके पश्चात् पुनर्निर्दिष्ट किए गए हों।	
	(सी) आयकर आयुक्त, बड़ौदा प्रभार के कोई वाई/सर्कल/रेंज कार्यालय जो इस आदेश के द्वारा किसी अन्य आयकर आयुक्त (अपील) को स्पष्ट रूप से नहीं सौंपे गए हों।	
10. आयकर आयुक्त (अपील) -1, अहमदाबाद	(1) आयकर उप-आयुक्त, अहमदाबाद पूर्व रेंज-9, अहमदाबाद।	
11. आयकर आयुक्त (अपील) -2, अहमदाबाद	(1) आयकर उप-आयुक्त, अहमदाबाद रेंज-2, अहमदाबाद। (हिमलनगर/मोड़ासा सर्कल/वाई को छोड़कर)	
	(2) आयकर उप-आयुक्त विशेष रेंज-6, अहमदाबाद।	
	(3) आयकर आयुक्त गुजरात-2 अहमदाबाद प्रभार के अन्य कोई सर्कल, वाई या रेंज कार्यालय जो इस आदेश के द्वारा अन्य किसी आयकर आयुक्त (अपील) को स्पष्ट रूप से नहीं सौंपे गए हों।	
12. आयकर आयुक्त (अपील) -10, अहमदाबाद	(1) पालनपुर सर्कल/वाई सहित, आयकर उप-आयुक्त, अहमदाबाद रेंज - 3, अहमदाबाद।	
13. आयकर आयुक्त (अपील) -11, अहमदाबाद।	(1) आयकर उप-आयुक्त, विशेष रेंज - 3, अहमदाबाद।	

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		(2) हिमत्तनगर सर्कल/वार्ड। (3) मोड़ासा सर्कल/वार्ड। (4) आयकर अधिकारी, वार्ड 2(2), राजकोट
14. आयकर आयुक्त (अपील)-1, सूरत		(1) आयकर उप आयुक्त रेंज-1, सूरत (2) आयकर उप आयुक्त विशेष रेंज-1, सूरत। (3) आयकर उप आयुक्त बलसाड रेंज, बलसाड की नियन्त्रण-अधिकारिता के अधीन आयकर कार्यालय बापी के निर्धारण अधिकारी। (4) अन्य कोई भी निर्धारण अधिकारी जो विनिश्चित: आयकर आयुक्त (अपील)-2, सूरत की अधिकारिता के अधीन नहीं आते हों।
15. आयकर आयुक्त (अपील)-2, सूरत		(1) आयकर उप आयुक्त, रेंज - 2, सूरत। (2) आयकर उप आयुक्त विशेष रेंज - 2, सूरत। (3) आयकर उप आयुक्त, बलसाड रेंज, बलसाड की नियन्त्रण-अधिकारिता के अधीन आयकर कार्यालय नयसारी तथा बलसाड के निर्धारण अधिकारी। (4) संपदा शुल्क सर्कल, सूरत।
16. आयकर आयुक्त (अपील)-1, राजकोट		(1) जुनगढ़ सर्कल/वार्ड सहित आयकर उप आयुक्त, राजकोट रेंज - 1, राजकोट। (2) अमरेली सर्कल/वार्ड सहित आयकर उप आयुक्त, भावनगर रेंज, भावनगर। (3) आयकर उप आयुक्त, विशेष रेंज, राजकोट।
17. आयकर आयुक्त (अपील)-2, राजकोट।		(1) वार्ड/सर्कल मोरबी एवं पोरबन्दर सहित किन्तु आयकर अधिकारी वार्ड 2 (2), राजकोट को छोड़कर आयकर उप आयुक्त, राजकोट रेंज - 2, राजकोट। (2) गांधीधाम, भुज सर्कल/वार्ड सहित आयकर उप आयुक्त, जामनगर रेंज, जामनगर। (3) संपदा शुल्क सर्कल, राजकोट। (4) आयकर आयुक्त राजकोट प्रभार के कोई वार्ड/सर्कल/रेंज कार्यालय जो इस आदेश के द्वारा अन्य किसी आयकर आयुक्त (अपील) को स्पष्ट रूप से नहीं सौंपे गए हों।
18. आयकर आयुक्त (अपील)-6, अहमदाबाद		(1) केन्द्रीय सर्कल राजकोट सहित आयकर उप आयुक्त केन्द्रीय रेंज - 2, अहमदाबाद। (2) अहमदाबाद में कार्यरत सभी आयकर उप निदेशक (अन्वेषण)।
19. आयकर आयुक्त (अपील)-12, अहमदाबाद		(1) आयकर उप आयुक्त केन्द्रीय रेंज - 1, अहमदाबाद। (2) आयकर उप निदेशक (अन्वेषण), राजकोट।
20. आयकर आयुक्त (अपील)-4, बड़ौदा		(1) केन्द्रीय सर्कल, सूरत सहित आयकर उप आयुक्त केन्द्रीय रेंज, बड़ौदा। (2) आयकर उप निदेशक (अन्वेषण), बड़ौदा। (3) आयकर उप निदेशक (अन्वेषण), सूरत।

2. यह अधिसूचना 31-01-1994 से लागू होगी।

(फै. एन. मित्तल)  
आयकर महानिदेशक  
(अन्वेषण), पश्चिम

(एस. गोविन्दराजन)  
मुख्य आयकर आयुक्त - 2,  
गुजरात, अहमदाबाद

[फा. सं. उप. आ. मुख्या. 1-2/4-1/93-94]

गोविन्द मिश्र,  
मुख्य आयकर आयुक्त

## OFFICE OF THE CHIEF COMMISSIONER OF INCOME-TAX GUJARAT, AHMEDABAD

[Director General of Income-tax (Investigation) (West), Ahmedabad]

Ahmedabad, the 25 th January, 1994

(Income-tax)

S.O. 726:—In supersession of all Notifications issued by the Chief Commissioner of Income-tax, Ahmedabad, the Chief Commissioner of Income-tax-II, Ahmedabad and the Director General of Income-tax (Investigation) West, Ahmedabad and in exercise of the powers conferred on the undersigned by sub-section (1) of section 120 of the Income-tax Act, 1961 and by Notification No. 9413 [F. No. 279/129/93-ITJ(Pt)] dated 19th November, 1993 [[S.O. No. 879 (E) and S.O. No. 45 (E)] dated 21-1-1994 issued by the Central Board of Direct Taxes, New Delhi, in this behalf under the said section, the Chief Commissioner of Income-tax, Ahmedabad, the Chief Commissioner of Income-tax II, Ahmedabad and the Director General of Income-tax (Investigation), (West) Ahmedabad hereby direct that the Commissioners of Income-tax (Appeals) mentioned in Col. 2 of the Schedule below shall perform their functions in respect of such persons assessed to Income-tax/Wealth-tax/Gift-tax/Sur-tax/Interest tax in the Income-tax Wards, Circles and Ranges specified in Col. 3 thereof, as are aggrieved by any of the orders mentioned in clauses (a) to (h) of sub-section (2) of section 246 of the Income-tax Act, 1961 (43 of 1961) or section 11 of Companies (Profits) Surtax Act, 1964 (7 of 1964) or sub-section (1) of section 15 of the Interest Tax Act, 1974 (45 of 1974) and also in respect of such persons or classes of persons as the Board has directed or the undersigned may direct in future in accordance with the provisions of clause (1) of sub-section (2) of Section 246 of the Income-tax Act, 1961. The appeals relating to the cases of the charges mentioned in Col. (3) which are pending before various Commissioners of Income-tax (Appeals) in Gujarat shall stand transferred to the Commissioners of Income-tax (Appeals) mentioned in Col. (2) of the Schedule with effect from 31st January 1994.

## SCHEDULE

Sl. Charge of the C.I.T. (Appeals) with H.Qrs. No.	Jurisdiction over appeals against the orders passed by Deputy Commissioners of Income-tax, Deputy Director of Income-tax (Investigation), Assistant Director of Income-tax (Investigation) or Assessing Officers falling within their jurisdiction.
1	2
	3
1. Commissioner of Income-tax (Appeals)-III Ahmedabad	(i) Deputy Commissioner of Income-tax, Ahmedabad Range-7, Ahmedabad including Patan Circle/Ward
2. Commissioner of Income-tax (Appeals)-IV, Ahmedabad	(i) Deputy Commissioner of Income-tax, Ahmedabad Range-5 Ahmedabad including Mehsana Circle/Ward (ii) Deputy Commissioner of Income-tax, Special Range-2 Ahmedabad, (iii) Estate Duty Circle, Ahmedabad.
3. Commissioner of Income-tax (Appeals)-V, Ahmedabad.	(i) Deputy Commissioner of Income-tax, Ahmedabad Range-1, Ahmedabad. (ii) Deputy Commissioner of Income-tax, Special Range-1, Ahmedabad. (iii) Deputy Commissioner of Income-tax, Special Range-7, Ahmedabad. (iv) Any Circle, Ward or Range in the charge of Commissioner of Income-tax, Gujarat-I Ahmedabad not specifically assigned to any other Commissioner of Income-tax (Appeals) under this order.

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4. Commissioner of Income-tax Appeals-VII, Ahmedabad.		(i) Deputy Commissioner of Income-tax, Ahmedabad Range -6, Ahmedabad including Surendranagar. (ii) Deputy Commissioner of Income-tax, Special Range-4, Ahmedabad. (iii) Deputy Commissioner of Income-tax, Special Range-8, Ahmedabad.
5. Commissioner of Income-tax (Appeals)-VIII, Ahmedabad.		(i) Deputy Commissioner of Income-tax, Ahmedabad Range-8, Ahmedabad. (ii) Any Circle, Ward or Range in the charge of Commissioner of Income-tax, Gujarat-III, not specifically assigned to any other Commissioner of Income-tax (Appeals) by this order.
6. Commissioner of Income-tax (Appeals)-IX, Ahmedabad.		(i) Deputy Commissioner of Income-tax, Ahmedabad Range-4, Ahmedabad. (ii) Deputy Commissioner of Income-tax, Ahmedabad Range-10, Ahmedabad. (iii) Deputy Commissioner of Income-tax, Special Range-5, Ahmedabad.
7. Commissioner of Income-tax (Appeals)-I, Baroda.		(a) Deputy Commissioner of Income-tax, Special Range-2, Baroda. (b) All wards/Circles of Assessing Officers as existing prior to 1-4-92 in respect of the following circles : (i) Anand Circle (ii) Petlad Circle (iii) Nadiad Circle (c) All Assessing Officers of the wards/Circles specified, in item (b) above as re-designated on or after 1-4-1992.
8. Commissioner of Income-tax (Appeals)-II, Baroda.		(a) Deputy Commissioner of Income-tax, Special Range-1, Baroda. (b) All Assessing Officers as existing prior to 1-4-1992 in respect of the following circles: (i) Circle-2, Baroda including ITO, TDS-2, Baroda (ii) Godhra Circles (iii) Bharuch Circles (iv) Estate Duty Circle, Baroda (c) All Assessing Officers of wards/Circles specified in item No. (b) above as re-designated on or after 1-4-1992.
9. Commissioner of Income-tax (Appeals)-III, Baroda		(a) All Assessing Officers as existing prior to 1-4-1992 in respect of the following circles : (i) Circle-1, Baroda (including ITO, TDS-1, Baroda) (b) All Assessing Officers of wards/Circles specified in item (a) above as re-designated on or after 1-4-1992. (c) Any wards/Circles or Ranges of Commissioner of Income-tax, Baroda charge not specifically assigned to any other Commissioner of Income-tax (Appeal) under this order.
10. Commissioner of Income-tax (Appeals)-I, Ahmedabad.		(i) Deputy Commissioner of Income-tax, Ahmedabad of erstwhile Range-9, Ahmedabad.

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11. Commissioner of Income-tax (Appeals)-II, Ahmedabad.		(i) Deputy Commissioner of Income-tax, Ahmedabad Range-2, Ahmedabad excluding Himatnagar/Modasa Circle/Ward. (ii) Deputy Commissioner of Income-tax Special Range-6, Ahmedabad. (iii) Any Circle, Ward or Range in the charge of Commissioner of Income-tax, Gujarat-II, Ahmedabad not specifically assigned to any other Commissioner of Income-tax (Appeals) by this order.
12. Commissioner of Income-tax (Appeals)-X, Ahmedabad		(i) Deputy Commissioner of Income-tax, Ahmedabad Range-3, Ahmedabad including Palanpur Circle/Ward.
13. Commissioner of Income-tax (Appeals)-XI, Ahmedabad.		(i) Deputy Commissioner of Income-tax, Special Range-3, Ahmedabad. (ii) Himatnagar Circle/Ward. (iii) Modasa Circle/Ward. (iv) Income-tax Officer Ward-2(2) Rajkot.
14. Commissioner of Income-tax (Appeals)-I, Surat.		(i) Deputy Commissioner of Income-tax, Range-1, Surat. (ii) Deputy Commissioner of Income-tax, Special Range-1, Surat. (iii) The Assessing Officers of Income-tax Office, Vapi under jurisdictional control of the Deputy Commissioner of Income-tax, Valsad Range, Valsad. (iv) Any other Assessing Officers, not specifically covered under jurisdiction of Commissioner of Income-Tax (Appeals)-II, Surat.
15. Commissioner of Income-tax (Appeals)-II, Surat.		(i) Deputy Commissioner of Income-tax, Range-2, Surat. (ii) Deputy Commissioner of Income-tax, Special Range-2, Surat. (iii) The Assessing Officers of Income-tax Offices at Navsari and Valsad under Jurisdictional control of the Deputy Commissioner of Income-tax, Valsad Range, Valsad. (iv) Estate Duty Circle, Surat.
16. Commissioner of Income-tax (Appeals)-I, Rajkot.		(i) Deputy Commissioner of Income-tax, Rajkot Range-1 Rajkot including Junagadh Circle/Ward. (ii) Deputy Commissioner of Income-tax, Bhavnagar Range, Bhavnagar including Amreli Circle/Ward. (iii) Deputy Commissioner of Income-tax, Special Range, Rajkot.
17. Commissioner of Income-tax (Appeals)-II, Rajkot.		(i) Deputy Commissioner of Income-Tax, Rajkot Range-2, Rajkot including Ward/Circle Morvi and Porbandar but excluding Income-tax Officer Ward-2(2), Rajkot. (ii) Deputy Commissioner of Income-tax, Jamnagar Range, Jamnagar including Gandhidham and Bhuj Circles/Wards. (iii) Estate Duty Circle, Rajkot.



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		(iv) Any Wards/circle/Ranges in the charge of Commissioner of Income-tax Rajkot not specifically assigned to any other Commissioner of Income-tax (Appeals) under this order.
18. Commissioner of Income-tax (Appeals)-VI, Ahmedabad		(i) The Deputy Commissioner of Income-tax, Central Range-2, Ahmedabad including Central Circle, Rajkot. (ii) All Deputy Directors of Income-tax (Investigation) stationed at Ahmedabad.
19. Commissioner of Income-tax (Appeals)-XII, Ahmedabad		(i) The Deputy Commissioner of Income-tax, Central Range-I, Ahmedabad. (ii) The Deputy Director of Income-tax (Investigation), Rajkot.
20. Commissioner of Income-tax (Appeals)-IV, Baroda		(i) The Deputy Commissioner of Income-tax, Central Range, Baroda including Central Circle Surat. (ii) The Deputy Director of Income-tax (Investigation), Baroda. (iii) The Deputy Director of Income-tax (Investigation), Surat.

2. The Notification shall come into force w.e.f. 31-01-1994.

[F. No. DC (HQ)-I-II/IV-1/93-94]

(P.N. MITTAL)  
Director General of Income-tax (Inv.)  
West, Ahmedabad.

(S. GOVINDARAJAN)  
Chief Commissioner of Income-  
tax-II, Gujarat, Ahmedabad.

(G.K. MISHRA) Chief Commis-  
sioner of Income-tax

वार्डकला, 4 फरवरी, 1994

का. आ. 727.—नं. 13/93-94:—मु. आ. आ., कल./मु. आ. आ. II, कल./मु. आ. आ. III, कल. द्वारा पारित अधिसूचनाओं के सभी पूर्व आदेशों में आंशिक संशोधन करते हुए तथा मु. आ. आ., कल./मु. आ. आ. III, कल./द्वारा पारित अधिसूचना नं. 5/93-94 दिनांक 11-8-1993 तथा मु. आ. आ. III, कल. द्वारा पारित अधिसूचना नं. 9/93-94 दिनांक 2-9-1993 तथा आयकर अधिनियम, 1961 (1961 का 43) की धारा 120 की उप धारा (1) एवं (2) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा केन्द्रीय प्रत्यक्ष कर बोर्ड, नई दिल्ली के एफ. सं. 279/129/93-आई. टी. जे. (पार्ट) के अधिसूचना सं. 9460 दिनांक 21-1-94 द्वारा हमें प्रदत्त शक्तियों का प्रयोग करने हुए और इस बारे में हमें समर्थ बनाने वाली अन्य शक्तियों का प्रयोग करने हुए और इस विषय में पूर्व अधिसूचनाओं का अधिक्रमण करने हुए, ऐसे अधिक्रमण के पूर्व किए गए अथवा छोड़ दिए गए कार्यों को छोड़कर मैं मु. आ. आ., कल. एतद्वारा निर्देश देता हूँ कि आयकर अधिनियम 1961 की धारा 246 के खण्ड (ए) में (एच) तक, धनकर अधिनियम, 1957 (1957 का 27)

की धारा 23 की उपधारा (1ए) के खण्ड (ए) से (ओ) तक, दानकर अधिनियम, 1958 (1958 का 18) की धारा 22 की उपधारा 1(ए) के खण्ड (ए) से (ई) तक, कम्पनी (लाभ) अतिकर अधिनियम, 1984 (1984 का 7) की धारा 11 की उपधारा (1) ब्याज कर अधिनियम, 1974 (1974 का 45) की धारा 15 की उपधारा (1) और व्यय कर अधिनियम 1987 (1987 का 35) की धारा 22 की उपधारा (1) और सम्पदा शुल्क अधिनियम 1953 की धारा 62 में वर्णित किसी आदेश से स्तंभ 3 में विनिर्दिष्ट आयकर प्राधिकारियों/निर्धारण अधिकारियों द्वारा आयकर अथवा धनकर अथवा दानकर अथवा अतिकर अथवा ब्याज कर अथवा व्ययकर अथवा सम्पदा शुल्क देने वाले असंतुष्ट निर्धारितियों के बारे में संलग्न अनुसूची के स्तंभ 2 में उल्लिखित इस क्षेत्र के आ. आ. (अधीन) अपने कार्यों का निष्पादन करेंगे।

2. जहाँ एक आयकर सर्विस बोर्ड अथवा विशेष रेंज अथवा उनके अंग इस अधिसूचना के अनुसार एक प्रभार से दूसरे प्रभार में स्थानांतरित हो गए हों व इस अधिसूचना के जारी होने के तुरंत पहले आयकर बोर्ड/सर्विस/स्पेशल रेंज

अथवा उनके अंश में हुई निर्धारण संबंधी अपील सम्बन्धित हो तो इस अधिसूचना के प्रभावी होने की तिथि से वे आ. आ. (अपील) विचार करेंगे जिनके अधीन उक्त नार्ड/

सर्कल/स्पेशल रेंज अथवा उनके अंश स्थानांतरित किए गए हैं।

यह अधिसूचना 9-2-94 से लागू है।

### अनुसूची

आयकर आयुक्तों (अपीलें) के क्षेत्राधिकार

क्रम सं.	आ. आ. (अपीलें) का पदनाम	क्षेत्राधिकार
मु. आ. आ., कल. के अधीन		
1. आ. आ. (अपीलें)-1, कल.		(क) आ. उपा. रेंज-7, कल. के अधीन कार्यरत सभी निर्धारण अधिकारी। (ख) आ. उपा. विशेष रेंज-2, कल. और आ. उपा. विशेष रेंज-2, कल. के अधीनस्थ सभी निर्धारण अधिकारी।
2. आ. आ. (अपीलें) 3, कल.		(क) आ. उपा. रेंज-20, कल. के अधीनस्थ सभी निर्धारण अधिकारी। (ख) आ. उपा. रेंज-15 कल. के अधीनस्थ सभी निर्धारण अधिकारी। (ग) आ. उपा. विशेष रेंज-12, कल. और आ. उपा. विशेष रेंज-12, कल. के अधीनस्थ सभी निर्धारण अधिकारी। (घ) आ. उपा. विशेष रेंज-21, कल. तथा आ. उपा. विशेष रेंज 21 कल. के अधीनस्थ सभी निर्धारण अधिकारी।
3. आ. आ. (अपीलें) 6, कल.		(क) आ. उपा. विशेष रेंज-1, कल. तथा आ. उपा. विशेष रेंज-1, कल. के अधीनस्थ सभी निर्धारण अधिकारी। (ख) आ. उपा. विशेष रेंज-7, कल. और आ. उपा. विशेष रेंज-7, कल. के अधीनस्थ सभी निर्धारण अधिकारी। (ग) आ. उपा. विशेष रेंज-10, कल. तथा आ. उपा. विशेष रेंज-10, कल. के अधीनस्थ सभी निर्धारण अधिकारी। (घ) आ. उपा. विशेष रेंज-2, कल. और आ. उपा. विशेष रेंज-2, कल. के अधीनस्थ सभी निर्धारण अधिकारी। (ङ) आ. उपा. रेंज-6, कल. के अधीनस्थ सभी निर्धारण अधिकारी। (छ) आ. उपा. रेंज-2, कल. के अधीनस्थ सभी निर्धारण अधिकारी। (ज) आ. उपा. रेंज-21, कल. के अधीनस्थ सभी निर्धारण अधिकारी।
4. आ. आ. (अपीलें)*7, कल.		(क) आ. उपा. रेंज-1, कल. के अधीनस्थ सभी निर्धारण अधिकारी। (ख) आ. उपा., जलपाईगुडी रेंज, जलपाईगुडी के अधीनस्थ सभी निर्धारण अधिकारी।
5. आ. आ. (अपीलें)-8, कल.		(क) आ. उपा. रेंज-10, कल. के अधीनस्थ सभी निर्धारण अधिकारी। (ख) आ. उपा. विशेष रेंज-8, कल. और आ. उपा. विशेष रेंज-8, कल. के अधीनस्थ सभी निर्धारण अधिकारी।

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(ग) आ. उपा. रेंज-13, कल. के अधीनस्थ सभी निर्धारण अधिकारी ।

(घ) प्रशासनिक नियंत्रणाधीन तथा आ. नि. (भा. छूट) कल. के अधीनस्थ सभी निर्धारण अधिकारी ।

[सं. स. भा./मुद्रा./योजना/30/93-94/10978-11677]

जे. के. कुरियान, मु. भा. आ.,

Calcutta, the 4th February, 1994

S.O. 727.—No. 13/93-94: In partial modification of all earlier orders in Notifications passed by the Chief Commissioner of Income-tax, Calcutta, Chief Commissioner of Income-Tax-II, Calcutta, Chief Commissioner of Income-Tax-III, Calcutta and also in Notification No. 5/93-94 dated 11-8-1993 passed by the Chief Commissioner of Income-tax, Calcutta/Chief Commissioner of Income-tax-III, Calcutta and No. 9/93-94 dated 2-9-1993 passed by the Chief Commissioner of Income-tax-III, Calcutta, and in exercise of the powers conferred by Sub-sections (1) and (2) of Section 120 of the I.T. Act, 1961 (43 of 1961) and in exercise of the powers conferred on us by the Central Board of Direct Taxes, New Delhi vide its Notification No. 9460 in F. No. 279/129/93-ITJ(Pt.) dated 21-1-1994 and all other powers enabling us in this behalf and in supersession of all earlier notifications made in this behalf, except in respect of things done or omitted to be done before such supersession, I, the Chief Commissioner of Income-tax, Calcutta, hereby direct that the Commissioners of Income-tax (Appeals) of this region specified in column 2 of the schedule attached hereto, shall perform their functions in respect of such persons assessed to Income-tax or Wealth-tax or Gift-tax or Sur-tax or Interest-tax or Expenditure-tax

or Estate Duty by the Income-tax, Authorities/Assessing Officers specified in column 3 thereof as are aggrieved by any orders mentioned in clauses (a) to (h) of Sub-section(2) of Section 246 of the Income-tax Act, 1961, clauses (a) to (c) of Sub-section (1A) of Section 23 of the Wealth-tax Act, 1957 (27 of 1957) Clauses (a) to (c) of Sub-sec.(1A) of Section 22 of the Gift-tax Act, 1958 (18 of 1958), Sub-section (1) of Section 11 of the Companies (Profit) Sur-tax Act, 1984 (7 of 1984), Sub-section (1) of Section 15 of the Interest-tax Act, 1974 (45 of 1974) and Sub-section(1) of Section 22 of the Expenditure-tax Act, 1987 (35 of 1987) and Section 62 of the Estate Duty Act, 1943.

2. Where an Income-tax Circle, Ward or Special Range or part thereof stands transferred by this notification from one charge to another, appeals arising out of the assessments made in this Income-tax Ward/Circle/Special Range or part thereof and pending immediately before the date, from which this notification takes effect, before the Commissioner of Income-tax (Appeals) from whose charge that Income-tax Ward/Circle/Special Range or part thereof is transferred shall, from the date from which this notification takes effect, be transferred to and dealt with by the Commissioners of Income-tax (Appeals) to whom the said Ward/Circle/Special Range or part thereof is transferred.

3. This notification takes effect from 9-2-1994. —

## SCHEDULE

### Jurisdiction of the Commissioners of Income-tax (Appeals)

Sl. No.	Designation of Commissioner of Income-tax (Appeals)	Jurisdiction
1	2	3
Under the Control of the Chief Commissioner of Income-tax, Calcutta		
1.	Commissioner of Income-tax (Appeals)-I, Calcutta	(a) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-7, Calcutta (b) Deputy Commissioner of Income-tax, Special Range-2, Calcutta, and all Assessing Officers subordinate to Deputy Commissioner of Income-tax, Special Range-2, Calcutta.
2.	Commissioner of Income-tax (Appeals)-III, Calcutta.	(a) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-20, Calcutta. (b) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-15, Calcutta.

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3. Commissioner of Income-tax (Appeals)-VI,  
Calcutta,
- (c) Deputy Commissioner of Income-tax, Special Range-12, Calcutta, and all Assessing Officers subordinate to Deputy Commissioner of Income-tax, Special Range-12, Calcutta.
  - (d) Deputy Commissioner of Income-tax, Special Range-21, Calcutta, and all Assessing Officers subordinate to Deputy Commissioner of Income-tax, Special Range-21, Calcutta.
4. Commissioner of Income-tax (Appeals)-VII,  
Calcutta.
- (a) Deputy Commissioner of Income-tax, special Range-1, Calcutta, and all Assessing officers subordinate to Deputy Commissioner of Income-tax, Special Range-1, Calcutta.
  - (b) Deputy Commissioner of Income-tax, Special Range 7, Calcutta, and all Assessing Officers subordinate to Deputy Commissioner of Income-tax, Special Range-7, Calcutta.
  - (c) Deputy Commissioner of Income-tax, Special Range-10, Calcutta, and all Assessing Officers subordinate to Deputy Commissioner of Income-tax, Special Range-10, Calcutta.
  - (d) Deputy Commissioner of Income-tax, Special Range 11, Calcutta, and all Assessing Officers subordinate to Deputy Commissioner of Income-tax, Special Range-11 Calcutta.
  - (e) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-6, Calcutta.
  - (f) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-11, Calcutta.
  - (g) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-21, Calcutta.
5. Commissioner of Income-tax (Appeals)-VIII,  
Calcutta.
- (a) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-1, Calcutta.
  - (b) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Jalpaiguri Range, Jalpaiguri.
  - (a) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-10, Calcutta.
  - (b) Deputy Commissioner of Income-tax, Special Range-8, Calcutta, and all Assessing Officers subordinate to Deputy Commissioner of Income-tax, Special Range-8, Calcutta.
  - (c) All Assessing Officers functioning under Deputy Commissioner of Income-tax, Range-13, Calcutta.
  - (d) All Assessing Officers under the Administrative Control and subordinate to the Director of Income-tax (Income-tax Exemption) Calcutta.

समाहृतसंस्थ केन्द्रीय उत्पाद शुल्क एवं सीमा शुल्क

Age of Superannuation retired from Government service on 31-1-1994 (AN).

अधिसूचना संख्या 32/1994

[C. No. II(3)9-Con/93]

GOVINDAN S TAMPL. Collector

इन्दौर, 17 फरवरी, 1994

विदेश मंत्रालय

नई दिल्ली, 11 जनवरी, 1994

का. आ. 728.—इन्दौर समाहृतसंस्थ के श्री आर. बी. सिंह, अधीक्षक, केन्द्रीय उत्पाद शुल्क समूह "ख" नियुक्त आयु प्राप्त करने पर दिनांक 31-1-94 (अपराह्न) से शासकीय सेवा से निवृत्त हुए।

[प. सं. 11(3)9-गोप/93]

गोविंदन शे. तंपी, समाहर्ता

CUSTOMS &amp; CENTRAL EXCISE COLLECTORATE

NOTIFICATION NO. 32/1994

Indore, the 17th February, 1994

S.O. —Shri R. B. Singh, Superintendent, Central Excise Group 'B' of Indore Collectorate having attained the

का. आ. 729.—मूल नियम के नियम 45 के प्रावधानों के अनुसरण में राष्ट्रपति, होस्टल वास सुविधा आर्बंटन (विदेश मंत्रालय) नियम 1978—में और संशोधन करते हुए एतद्वारा निम्नलिखित नियम बनाते हैं, नामतः—

1. (1) इन नियमों को होस्टल वास आर्बंटन (विदेश मंत्रालय) संशोधन नियम 1994 कहा जाएगा;

(2) ये सरकारी गजट में प्रकाशन की तारीख से प्रवृत्त होंगे;

2. होस्टल वास आर्बंटन (विदेश मंत्रालय) नियम, 1978 की अनुसूची के स्थान पर निम्नलिखित अनुसूची प्रतिस्थापित की जाए, नामतः—

## नई अनुसूची-1

अधिकारी की श्रेणी	लाइसेंस फीस और सेवा प्रभागों की अदायगी (एग. एल. एफ.) पर प्रवास की न्यूनतम अवधि	सामान्य से दुगुनी दर पर लाइसेंस फीस और सेवा प्रभागों की अदायगी पर प्रवास की अधिकतम अवधि	लाइसेंस फीस से तिगुनी दर पर और सेवा प्रभागों की अदायगी पर प्रवास की अधिकतम अवधि
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1	2	3	4
1. इण्टी के निम्नलिखित में भारतीय मिशनरी के सेवा-रत प्रमुखों की दिल्ली यात्रा	कोई सीमा नहीं	शून्य	शून्य
2. अधिकारियों की मुख्यालय में अस्थायी या परामर्शी इण्टी	अस्थायी या परामर्शी इण्टी की अवधि के लिए	शून्य	शून्य
3. संशोधन के स्थायी प्रवास-निक नियंत्रण के अधीन इण्टी पर आए मिशन प्रमुख तथा अन्य कोई अधिकारी	4 महीने	शून्य	शून्य
4. सेवानिवृत्ति पर विदेश से लौट रहे अधिकारी	2 महीने (सेवानिवृत्ति की तारीख से तीन महीने की अवधि के भीतर)	शून्य	शून्य

1	2	3	4
5. विदेश में स्थानान्तरण पर मुख्यालय में वापिस आने पर (इस बात के होते हुए कि होस्टल का आर्बंटन उसके परिवारजनों के उपयोग के लिए करना है या स्वयं अधिकारी के लिए) यदि अधिकारी के पास दिल्ली और उसके समीपवर्ती नगरपालिकाओं (अर्थात् गाजियाबाद फरीदाबाद, नोएडा, गुडगांव) में अपने प्रथम उसके बच्चों के नाम से कोई मकान न हो।	6 महीने	सचिव/स्थापना प्रभाग के प्रभारी अपर सचिव/संयुक्त सचिव के अनुमोदन से 6 महीने के लिए	मंत्रालय में सचिव/स्थापना प्रभाग के प्रभारी अपर सचिव/संयुक्त सचिव के विनिष्ट अनुमोदन से खाली करने तक।
टिप्पणी:—अधिकारी को नियमित प्रवास की पेशकश होने के चाहे वह साधारण पूल से हो या भारतीय विदेश सेवा पूल से और पात्रता टाईप का मकान हो या पात्रता टाईप से एक टाईप नीचे का मकान हो, दसवें दिन से यह होस्टल प्रवास निरस्त कर दिया जाएगा। यदि अधिकारी इस आर्बंटन को स्वीकार नहीं करता है तो उसके बाद उस दिन में क्षतिपूर्ति ली जाएगी।			
6. वह अधिकारी जिसका दिल्ली/उसके समीपवर्ती नगरपालिकाओं (अर्थात् गाजियाबाद, फरीदाबाद, नोएडा, गुडगांव) में उसके या उसके पति/पत्नी/बच्चों के पास अपना मकान हो, विदेश मुख्यालय में स्थानान्तरण होने पर वापिस आने पर (इस बात के होते हुए कि होस्टल का आर्बंटन का उपयोग उसके परिवारजनों ने करना है या स्वयं अधिकारी द्वारा करना है)	6 महीने	शून्य	शून्य
टिप्पणी :—1. अधिकारी को नियमित प्रवास की पेशकश होने के चाहे वह साधारण पूल से हो या भारतीय विदेश सेवा पूल से और पात्रता टाईप का मकान हो या पात्रता टाईप से एक टाईप नीचे का मकान हो, दसवें दिन से यह होस्टल प्रवास निरस्त कर दिया जाएगा। यदि अधिकारी इस आर्बंटन को स्वीकार नहीं करता है तो उसके बाद उस दिन से क्षतिपूर्ति ली जाएगी।			
टिप्पणी :—2. यह जाने उन अधिकारियों पर लागू होगी जो किराए पर दिए गए मकान का कब्जा छह महीने की अवधि के भीतर लेने की स्थिति में है और यह कि अधिकारी के भारत वापिस आने के आदेश जारी होने से पूर्व उसका मकान किराए पर चढ़ गया हो। यदि अधिकारी को मुख्यालय में वापिस तैनाती की जानकारी है और उसके बाद उसका मकान किराए पर चढ़ता है तो यह संरक्षण नहीं मिलेगा और अधिकारी को 6 महीने के बाद क्षतिपूर्ति का भुगतान करना होगा।			
7. मुख्यालय से विदेश स्थित मिशन में स्थानान्तरित होने वाले अधिकारी	एक माह	शून्य	शून्य

1	2	3	55 555
8.	विदेश स्थित मिशन में दो महीने से भारत अधिकारी जो गृह छुट्टी पर आये है की पत्नि और बच्चे (केवल एकल कमरे रखाई सज्जित या रहित)	शून्य	शून्य
9.	भारतीय विदेश सेवा 'क' दिल्ली में प्रशिक्षण की अवधि के परीक्षाधीन अधिकारी के दौरान और उसके पश्चात यदि उन्हें तत्काल ही मुख्यालय में तैनात किया जाया है तो	शून्य	शून्य

[नं. क्यू/एस ई-1/8401/45/84-खण्ड-III]

के. सी. सिंह, संयुक्त सचिव

पाद टिप्पणी:—मूल नियम दिनांक 23-9-78 के मा. आ. 2748 के अधीन प्रकाशित हुए थे उसके बाद दिनांक 5-5-84 के मा. आ. 1472 और दिनांक 8-4-89 के मा. आ. 640 के द्वारा संशोधित किए गए।

## MINISTRY OF EXTERNAL AFFAIRS

New Delhi, the 11th January, 1994

S.O. 729.—In pursuance of the provisions of rule 45 of the Fundamental Rules, the President hereby makes the following rules further to amend the Allotment of Hostel Accommodation (Ministry of External Affairs) Rules, 1978 namely :—

1. (1) These rules may be called the allotment of Hostel Accommodation (Ministry of External Affairs) Amendment Rules, 1994.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the allotment of Hostel Accommodation (Ministry of External Affairs) Rules, 1978, for Schedule I the following schedule shall be substituted namely :—

## NEW SCHEDULE I

Category of Officer	Maximum stay on payment of Licence fee and service charges (S.L.F.)	Maximum stay on payment of licence fee at double the normal rate and service charges	Maximum stay on payment of licence fee at three times the normal rate and service charges
(1)	(2)	(3)	(4)
1. Serving Indian Heads of Missions visiting Delhi on duty.	No limit.	Nil	Nil
2. Officers on Temporary or consultation duty at Headquarters.	For the period of temporary or consultation duty.	Nil	Nil
3. Heads of Missions as well as any other officer on leave under permanent administrative control of the Ministry.	4 months	Nil	Nil
4. Officers returning from abroad on superannuation	2 months (within 3 months from the date of superannuation)	Nil	Nil
5. Officers not owing houses in Delhi/ adjoining municipalities (i.e. Gaziabad, Faridabad, Noida, Gurgaon) either in their name or in the name of their spouses/ children, returning from abroad on transfer to Headquarters (regardless of whether allotment is made for the use of family or of the officer himself).	6 months	6 months with the approval of Secy./Addl. Secy./Jt. Secy. Incharge of Estt. Div.	Till vacation with the specific approval of Secy. Addl. Secy./Jt. Secy. incharge of Estt. Division in the Ministry

(1)	(2)	(3)	(4)
<p>Note :—This facility would be withdrawn with effect from the tenth day of the offer of regular accommodation, either from General pool or IFS pool, either of the entitled type or one type below. In case the officer does not avail of the allotment he would be charged at damages thenceforth.</p>			
<p>6. Officers owning houses in Delhi/ adjoining municipalities (i.e. Ghaziabad, Faridabad, Noida, Gurgaon) either in their name or in the name of spouses/children, returning from abroad on transfer to Headquarters (regardless of whether allotment is made for the use of the family or of the officer himself).</p>	6 months	Nil	Nil
<p>Note : 1 This facility would be withdrawn with effect from the tenth day of the offer of regular accommodation, either from General pool or IFS pool, either of the entitled type or one type below. In case the officer does not avail of the allotment he would be charged damages thenceforth.</p>			
<p>2. This condition would apply to officers who are in a position to take possession of rented house within a period of six months and that his house was rented out before the transfer order of the officer back to India issued. In case the house is rented after the officers posting back to Headquarters is known, this protection would not be available and officer would be required to pay at damages after six months stay.</p>			
<p>7. Officers on transfer from Headquarters to a Mission abroad.</p>	One month	Nil	Nil
<p>8. Wife and Children of an officer serving in Missions abroad on home leave (only single rooms with or without kitchen).</p>	Two months	Nil	Nil
<p>9. Indian Foreign Service (A) Probationers.</p>	<p>During the period of training in Delhi and subsequently, if they are immediately thereafter posted at Headquarters.</p>	Nil	Nil

[No. Q/SE-I/8601/45/84 Vol.-III]

K. C. SINGH, Jt. Secy.



## वस्त्र मन्त्रालय

नई दिल्ली, 8 मार्च, 1994

का.आ. 730. :—केन्द्रीय सरकार एतद्वारा अधिसूचित करती है कि राज्य सभा ने, केन्द्रीय रेशम बोर्ड अधिनियम, 1948 (1948 का 61) की धारा 4 की उपधारा (3) के खंड (ग) के अनुसरण में राज्य सभा के निम्नलिखित दो सदस्यों को केन्द्रीय रेशम बोर्ड के सदस्य के रूप में अधिनियम के प्रावधानों के अनुसार तीन वर्ष की अवधि के लिए कार्य करने हेतु 7 मार्च, 1994 को विधिवत निर्वाचित किया है :

1. श्री एच. हनुमंतप्पा
2. श्री पी. उपेन्द्र

[फा सं. 25012 (4) 91-रेशम]]

जयंत वासगुप्ता, उप सचिव

## MINISTRY OF TEXTILES

New Delhi, the 8th March, 1994

S.O. 730.—The Central Government hereby notify that the Rajya Sabha has, in pursuance of clause (c) of Sub-section (3) of Section 4 of the Central Silk Board Act 1948 (61 of 1938), duly elected the following two Members of Rajya Sabha, on 7th March, 1994 to serve as member of the Central Silk Board for a period of three years subject to provisions of the Act :—

1. Shri H. Hanumanthappa
2. Shri P. Upendra

[F. No. 25012/4/91-Silk]  
JAYANT DASGUPTA, Dy. Secy.

## कृषि मन्त्रालय

(कृषि और सहकारिता विभाग)

नई दिल्ली, 1 मार्च, 1994

का.आ. 731. :—राष्ट्रीय सहकारी विकास निगम अधिनियम 1962 (1962 की संख्या 26) के खंड 8 (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए तथा राष्ट्रीय सहकारी विकास निगम के परामर्श से केन्द्रीय सरकार राजस्थान वित्त निगम के अध्यक्ष-सह-प्रबन्ध निदेशक श्री जे. पी. सिंह, आई.ए.एस. (राजस्थान: 72) को 5900-6700 रुपये के वेतनमान में राष्ट्रीय सहकारी विकास निगम के प्रबन्ध निदेशक के पद पर नियुक्त करती है जिनका कार्यकाल, आमतौर से पदभार ग्रहण करने की तिथि से 5 वर्ष तक या आगामी आदेशों तक, दोनों में से जो भी पहले हो, होगा।

[सं. एल.-12011/2/94-आई. एण्ड पी]

बी.एस. ठकराल, अवर सचिव

## MINISTRY OF AGRICULTURE

(Department of Agriculture &amp; Cooperation)

New Delhi, the 1st March, 1994

S.O. 731.—In exercise of powers conferred by Section 8(1) of the National Cooperative Development Corporation Act, 1962 (No. 26 of 1962), the Central Government in 644 GI/94—3

consultation with the National Cooperative Development Corporation, hereby, appoints Shri J. P. Singh, IAS(RJ:72) acting as CMD, Rajasthan Financial Corporation, as Managing Director of National Cooperative Development Corporation, New Delhi, in the Pay Scale of Rs. 5900—6700 for a normal tenure of five years from the date of assumption of charge of the post or until further orders, whichever is earlier.

[No. L-12011/2/94-I&amp;P]

V. S. THAKRAL, Under Secy.

## स्वास्थ्य और परिवार कल्याण मन्त्रालय

नई दिल्ली, 1 मार्च, 1994

का.आ. 732. :—होम्योपैथी केन्द्रीय परिषद अधिनियम 1973 (1973 का 59) की धारा 3 की उपधारा (1) के खण्ड (क) के उपबन्धों के अनुसरण में, नीचे दी गई सारणी के स्तंभ (1) में उल्लिखित व्यक्ति को, स्तंभ (2) में उल्लिखित राज्य से राज्य होम्योपैथी रजिस्टर में होम्योपैथी के चिकित्सा व्यवसायियों के रूप में दर्ज व्यक्तियों में से केन्द्रीय होम्योपैथी परिषद के सदस्य के रूप में निर्वाचित किया गया है।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 3 की उपधारा (1) के अनुसरण में, भारत सरकार के स्वास्थ्य मन्त्रालय की अधिसूचना सं. का.आ. 482(अ), तारीख 6 अगस्त, 1974 में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना में “धारा 3 की उपधारा (1) के खण्ड (क) के अंतर्गत नामनिर्दिष्ट” शीर्षक और उसके अंतर्गत गुजरात राज्य से संबंधित प्रविष्टियों के स्थान पर निम्नलिखित शीर्षक और प्रविष्टियां रखी जाएंगी, अर्थात् :—

(1)	(2)
“डा. धनश्याम भाई दुर्गा प्रसाद जायसवाल एफ-2, कबीर हाऊसिंग कॉम्प्लेक्स, ज्ञान वास्को स्कूल के समीप, मकरपुरा रोड, बड़ौदा-9	गुजरात”।

[फा.सं. बी-26018/15/87-(होम्यो)सीसीएच]

बी.सी. मेहता, डेस्क अधिकारी (होम्यो)

## MINISTRY OF HEALTH &amp; FAMILY WELFARE

New Delhi, The 1st March, 1994

S.O.732:—Whereas in pursuance of the provisions of clause (a) of sub-section (1) of section 3 of the Homoeopathy Central Council Act, 1973 (59 of 1993), the person mentioned in column (1) of the Table below has been elected from amongst persons enrolled as practitioners of Homoeopathy on the State Register of Homoeopathy to be member of the Central Council of Homoeopathy from the State mentioned in column (2).

Now, therefore, in pursuance of sub-section (i) of section 3 of the said Act, the Central Government hereby makes the following amendment in the notification of Govern-

ment of India in the Ministry of Health No. S. O. 482 (E), dated the 6th August, 1974, namely :—

In the said notification for the heading "Nominated under clause (a) of sub-section (1) of section 3" and the entries thereunder, in respect of State of Gujarat the following heading and entries shall be substituted, namely :—

1	2
"Dr. Ganshyambhai Durgaprasad Jaiswal Gujarat." F-2, Kabir Housing Complex, Near Don Bosco School, Makaspura Road, BARODA-9.	
[F. NO. V-26018/15/87—Homoeo (CCH)] B.C. MEHTA, Desk Officer (Homoeo)	

नई दिल्ली, 28 फरवरी, 1994

का.प्रा. 733. केंद्रीय होम्यो परिषद् अधिनियम, 1973 (1973 का 59) की धारा 3 की उपधारा (1) के खंड (ख) के उपबंधों के अनुसरण में नीचे की सारणी के स्तंभ (1) में उल्लिखित व्यक्ति को स्तंभ (2) में उल्लिखित विश्वविद्यालय से निर्वाचित किया गया है।

अतः, अब, केंद्रीय सरकार, उक्त अधिनियम की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के तत्कालीन स्वास्थ्य मंत्रालय, स्वास्थ्य विभाग की अधिसूचना सं. का.प्रा. 482 (अ), तारीख 6 अगस्त, 1974 द्वारा प्रकाशित में निम्नलिखित संशोधन करती है, अर्थात् :—

उक्त अधिसूचना की सारणी में, क्रम संख्या 13 और उससे संबंधित प्रविष्टियों के स्थान पर, निम्नलिखित रखा जाएगा, अर्थात् :—

(1)	(2)
"13. प्रो. जी. जनार्दन रेड्डी, यूनिवर्सिटी ऑफ हेल्थ अधीक्षक, साइंसिज, विजयवाड़ा" राजकीय होम्यो अस्पताल, दिलसुख नगर, हैदराबाद।	

[संख्या बी.-26018/15/87—होम्यो (सी सी एच)]  
बी. सी. मेहता, डेस्क अधिष्ठाता (होम्यो)

पाठ टिप्पणी : मूल अधिसूचना का.प्रा.सं. 482 (अ), तारीख 6-8-1974 द्वारा जारी की गई थी और तत्पश्चात् उसे अधिसूचना सं. बी. 26018/15/87 होम्यो (सी.सी.एच.) (ii) तारीख 29 अगस्त, 1990 द्वारा संशोधित किया गया।

New Delhi, the 28th February, 1994

S. O. 733:—Whereas in pursuance of the provisions of clause (b) of sub-section (1) of section 3 of the Homoeopathy

Central Council Act, 1973 (59 of 1973), the person mentioned in column (1) of the Table below has been elected from the University mentioned in column (2):

Now, therefore, in exercise of powers conferred by sub-section (1) of section 3 of the said Act, the Central Government hereby makes the following amendment in the notification of the Government of India in the erstwhile Ministry of Health, Department of Health published, vide S.O. 482 (E), dated the 6th August, 1974, namely :—

In the Table to the said notification for serial number 13 and entries relating thereto, the following shall be substituted, namely :—

1	2
"13. Prof. G. Janardhan Reddy, Suprintendent, Government Homoeo Hospital, Dilsuh Nagar, Hyderabad."	
University of Health Sciences, Vijayawada."	

[No. V. 26018/15/87—Homoeo (CCH)]  
B.C. MEHTA, Desk Officer (Homoeo)

Foot Note : The Principal notification was issued vide S.O. 482 (E) dated the 6th August, 1974, and subsequently amended by notification No. V. 26018/15/87—Homoeo (CCH) (ii) dated 29th August, 1990.

नई दिल्ली 2 मार्च 1994

का.प्रा. 734:—भारतीय चिकित्सा परिषद् अधिनियम 1956 (1956 का 102) की धारा 3 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार पूर्ववर्ती स्वास्थ्य मंत्रालय भारत सरकार के दिनांक 9 जनवरी 1960 के का.प्रा. संख्या 138 के तहत भारत के राजपत्र में 16 जनवरी, 1960 को प्रकाशित अधिसूचना में ओर संशोधन करती है।

उक्त अधिसूचना में "धारा 3 की उपधारा (1) के खंड (ग) के अधीन निर्वाचित" शीर्षक के अधीन क्रम संख्या 14 और उससे संबंधित प्रविष्टि के स्थान पर निम्नलिखित क्रम संख्या और प्रविष्टि रखी जाएगी अर्थात्—

"14. डा. आर.के. पटेल आर. एम. जी.  
18 नारायणा चैम्बर्स गुजरात"  
नेहरू ब्रिज कानॉर के नजदीक  
अहमदाबाद-380 006"

[संख्या बी-11013/10/93—एम.ई. (यू.जी.)]  
एस. के. शाही, डेस्क अधिकारी

(Department of Health)

New Delhi, the 2nd March, 1994

S.O. 734:—In exercise of powers conferred under Sub-section (1) of Section 3 of the Indian Medical Council Act, 1956 (102 of 1956), the Central Government hereby makes the following further amendments in the notification of the

Government of India in the erstwhile Ministry of Health published vide S.O. 138 dated the 9th January, 1960 in the Gazette of India dated the 16th January, 1960, namely :—

the following serial number and entry shall be substituted, namely :—

“14. Dr. R. K. Patel,  
18, Narayan Chambers,  
near Nehru Bridge Corner,  
AHMEDABAD-380006.

R.M.G.”  
Gujarat

In the said notification, under the heading “Elected under clause (c) of Sub-section (1) of Section 3 for serial number 14 and the entry relating thereto,

[No. V. 11013/10/93-ME-(UG)]  
S. K. SAFNI, Desk Officer

### पेट्रोलियम एवं प्राकृतिक गैस मंत्रालय

नई दिल्ली, 8 मार्च, 1994

का.आ. 735:—जब कि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिए एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन डाली जाये और यह पाइप लाइन गैस अथारिटी आफ इण्डिया लि. द्वारा बिछाय जान है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणों में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड-3 के उपखण्ड-(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अथारिटी आफ इण्डिया लि., एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट, पी.डी.आई.एल. बिल्डिंग, ए-14, सेक्टर-1- नोएडा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

### वाद अनुसूची

एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	भीजा	चक नं.	गाटा सं.	अर्जितक्षेत्र हेक्टेयर में	अन्य विवरण
1	2	3	4	5	6	7	8
आगरा	खेरागढ़	खेरागढ़	बमनई कलां	पहाड़	210	0.5060	
				121	211	0.1640	
					212		
					213		
					212	0.0120	
					213		
				195	212	0.0096	
				46	213	0.0424	
				298	213	0.1080	
					219		
					213	0.0060	
					219		
					219	0.0960	
					213		

1	2	3	4	5	6	7	8
				82	219	0.1440	
					220		
				157	220	0.0400	
					222		
				175	222	0.2560	
					223		
					224		
				210	224	0.0140	
				184	191	0.1200	
					192		
					194		
					224		
					191	0.2100	
					192		
					193		
				303	190	0.0060	
				सम्पूर्ण योग—	30	1.7340	हेक्टेयर
				15			

या 4.283 एकड़  
या 06-17-01 बीघा  
[सं ओ-14016/22/93-जी पी.]  
अर्धेन्द्र सेन, निर्वेशक

# MINISTRY OF PETROLEUM & NATURAL GAS

New Delhi, the 8th March, 1994

S.O. 735.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. UP—Gradation Gas Pipeline in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto,

Now, therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd, UP—Gradation Pipeline Project, P.D.I.L. Building, A-14, Sector-1, Noida, Ghaziabad, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## CASE SCHEDULED H.B.J. UP-GRADATION GAS PIPE LINE PROJECT

Distt.	Tohsil	Pargana	Village	Chak No.	Plot No	Acquired are in Hectare	Remarks
1	2	3	4	5	6	7	8
Agra	Kheragarh	Kheragarh	Bamnai Kalan	121	210	0.5060	
					211	0.1640	
					212		
					213		
					212	0.0120	
					213		
				195	212	0.0096	

1	2	3	4	5	6	7	8
				46	213	0.0424	
				298	213	0.1080	
					219		
					213	0.0060	
					219		
					219	0.0960	
					213		
				82	219	0.1440	
					220		
				157	220	0.0400	
					222		
				175	222	0.2560	
					223		
					224		
				210	224	0.0140	
				184	191	0.1200	
					192		
					194		
					224		
					191	0.2100	
					192		
					193		
				303	190	0.0060	
				G. Total-15	30	1.7340	Hectare
					OR	4.283	Acres
					OR	06-17-01	Bigha

[No. O-14016/22/93—G.P.]  
ARDHENDU, SEN, Director

नई दिल्ली, 8 मार्च, 1994

का.प्रा. 736 :—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिए एच.बी.जे० अप-ग्रेडेशन गैस पाइप लाइन डाली जाये और यह पाइप लाइन गैस अथॉरिटी आफ इण्डिया लि. द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन) भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962) (1962 का 50) के खण्ड-3 के उपखण्ड-(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद् द्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अथॉरिटी आफ इण्डिया लि., एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट, पी.डी.आई.एल. बिल्डिंग, ए-14, सेक्टर-1— नोएडा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

## बाद अनुसूची

एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	सौजा	चक सं.	गाटा सं.	अर्जित क्षेत्र हेक्टेअर में	अन्य विवरण
1	2	3	4	5	6	7	8
आगरा	खेरागढ़	खेरागढ़	बमनई खूँद	345		0.1400	
				346		0.0120	
				344		0.2920	
				343		0.1420	
				342		0.0120	
				341		0.0840	
				354		0.0080	
				359		0.3000	
				297		0.0060	
				294		0.2072	
				287		0.0382	
				293		0.1886	
				289		0.0080	
				292		0.1748	
				290		0.0180	
				291		0.0128	
				285		0.0060	
				224		0.1856	
				276		0.0704	
				278		0.1880	
				277		0.3880	
				268		0.0060	
				261		0.2880	
				262		0.1996	
				263		0.0300	
				231		0.2124	
				232		0.0480	
				233		0.0120	
				234		0.1350	
				235		0.0060	
				237		0.1680	
				198		0.2920	
				196		0.0720	
				197		0.1200	
				181		0.0060	
				162		0.1840	
				161		0.1900	
				160		0.1540	
				159		0.2640	
				158		0.0060	

1	2	3	4	5	6	7	8
				156		0.2900	
				154		0.0960	
				1		0.3230	
				सम्पूर्ण योग 43		5.5856 हेक्टेयर	
				या		13.796 एकड़	
				या		22-01-09 बीघा	

[सं.ओ.-14016/22/93-जी.पी.]

अधेन्दु सेन, निर्देशक

New Delhi, the 8th March, 1994

S.O. 736.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. UP—Gradation Gas Pipeline in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd, UP—Gradation Pipeline Project, P.D.I.L. Building, A-14, Sector-1, Noida, Ghaziabad, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## CASE SCHEDULED

## H.B.J. UP-GRADATION GAS PIPE LINE PROJECT

Distt.	Tehsil	Paragnas	Village	Chak No.	Plot No.	Acquired area in Hectare	Remarks
1	2	3	4	5	6	7	8
Agra	Kheragarh	Kheragarh	Bamnai Kkurd	345	—	0.1400	
				346	—	0.0120	
				344	—	0.2920	
				343	—	0.1420	
				342	—	0.0120	
				341	—	0.0840	
				354	—	0.0080	
				359	—	0.3000	
				297	—	0.0060	
				294	—	0.2072	
				287	—	0.0382	
				293	—	0.1886	
				289	—	0.0080	
				292	—	0.1748	
				290	—	0.0180	
				291	—	0.0128	
				285	—	0.0060	
				224	—	0.1856	
				276	—	0.0704	
				278	—	0.1880	
				277	—	0.3880	

1	2	3	4	5	6	7	8
				268	—	0.0060	
				261	—	0.2880	
				262	—	0.1996	
				263	—	0.0300	
				231	—	0.2124	
				232	—	0.0480	
				233	—	0.0120	
				234	—	0.1350	
				235	—	0.0060	
				237	—	0.1680	
		Bamnai		198	—	0.2920	
		Khurd		196	—	0.0720	
				197	—	0.1200	
				181	—	0.0060	
				162	—	0.1840	
				161	—	0.1900	
				160	—	0.1540	
				159	—	0.2640	
				158	—	0.0060	
				156	—	0.2900	
				154	—	0.0960	
				1	—	0.3230	
		Total		43	—	5.5856	Hectare
					OR	13.796	acres
					OR	22-01-09	Bigha

[No. O. 14016/22/93 G.P.]  
ARDHENDU SEN, Director

नई दिल्ली, 8 मार्च, 1994

का. प्र. 7374 —जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिए एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन डाली जाये और यह पाइप लाइन गैस अथारिटी आफ इण्डिया लि. द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड-3 के उपखण्ड-(1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बताने कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिपूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति मश्रूम अधिकारी, गैस अथारिटी आफ इण्डिया लि., एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट, पी.डी.आई.एल. बिल्डिंग, ए-14, सेक्टर-1; नोएडा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराने समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।



## वाद अनुसूची

एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	मीजा	चक नं.	गाटा सं.	अर्जित क्षेत्र (हेक्टेयर में)	अन्य विवरण
1	2	3	4	5	6	7	8
आगरा	खेरागढ़	खेरागढ़	जलालपुर	—	683	0.0028	
				48	682/2	0.1000	
				योग 2	2	0.1028 हेक्टेयर	
					या	0.254 एकड़	
					या	0-8-2/1/2 बीघा	

[सं.ओ-14016/22/93-जी.पी.0]

अर्धेन्दु सेन, निदेशक

New Delhi, the 8th March, 1994

S.O. 737.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. UP—Gradation Gas Pipeline in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd, UP—Gradation Pipeline Project, P.D.I.L. Building, A-14, Sector-1, Noida, Ghaziabad, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## CASE SCHEDULE

## H.B.J. UP-GRADATION GAS PIPE LINE PROJECT

Distt.	Tehsil	Paragna	Village	Chak No.	Plot No.	Acquired area in Hectare	Remarks
1	2	3	4	5	6	7	8
Agra	Kheragarh	Kheragarh	Jalalpur	—	683	0.0028	
				48	682/2	0.1000	
			Total	2	2	0.0128	Hectare
					OR	0.254 Acres	
					OR	0-8-2 1/2 Bigha	

[No. O. 14016/22/93—G.P.]  
ARDHENDU SEN, Director

नई दिल्ली, 8 मार्च, 1994

का.प्र. 738 :—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिए एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन डाली जाये और यह पाइप लाइन गैस अथॉरिटी आफ इण्डिया लि. द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिए हमके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोजना का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार) ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड-3 के उपखण्ड-(i) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन निष्ठाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अपारिटी आफ इण्डिया लि., एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट, पी.डी.आई. एल. बिल्डिंग, ए-14, सेक्टर-1; नोएडा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विषय रूप से निश्चित करना होगा कि वह व्यक्तिगत रूप में अपनी विधि व्यवसायिक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

**વાષ્ટ અનુસૂચી**

एच.बी.जे. अप-प्रोडेशन गैस पाइप-लाइन प्रोजेक्ट

जिला	तहसील	परगना	मीजा	चक नं.	गाटा सं. (पुराना)	अजित क्षेत्र (हेक्टेयर में)	अन्य विवरण
1	2	3	4	5	6	7	8
अगरा	खेरागढ़	खेरागढ़	देवरी		729/2	0.0580	
				189	729/1	0.3360	
					728		
					670/1		
					670/1	0.0060	
				159	670/1	0.3288	
					669		
					671		
				26	671	0.388	
					674		
				129	668	0.0616	
					669		
				44	674	0.0480	
				195	668	0.1040	
					674		
					675		
					674	0.0224	
					668		
				43	667	0.3620	
					676		
				197	666/2	0.2400	
				70	666/1	0.1800	
					666/2		
					661/1	0.0060	
					661/3	0.3800	
					666/2		
				93	658	0.0160	
				162	658	0.2400	
					659		

1	2	3	4	5	6	7	8
आगरा	खेरागढ़	खेरागढ़	देवरी--जारी		652	0.0150	
					653/1		
				281	652	0.0480	
					653/1		
				163	651/2	0.3620	
					652		
					653		
				189	651/2	0.4500	
					632		
					633		
					634		
					643		
					643	0.0060	
				196	641	0.4440	
					642		
					643		
					640		
					554		
					564		
				46	554	0.1000	
					562		
					564		
				55	562	0.2420	
					563		
					564		
					562	0.0060	
					563		
				193	562	0.4180	
					563		
					537		
					541		
					534		
				13	528	0.1700	
					530		
					531		
				128	531	0.0080	
				11	528	0.1608	
					531		
				175	526	0.1420	
					527		
					458		
				185	458	0.0840	
					458	0.0060	
				189	458	0.4500	
					520		
					518		
					516		

1	2	3	4	5	6	7	8
आगरा खेरागढ़	खेरागढ़	देवरी (जारी)			515	.	
					515	0.0060	
			205		514	0.2790	
					515		
					495/2		
			200		495/2	0.1056	
					496		
			170		495/2	0.2540	
					494		
					491		
			163		489	0.1620	
					490		
					491		
			148		489	0.1380	
					459	0.0060	
			68		468	0.0840	
					489		
			158		488	0.3690	
					370		
					368		
					369	0.0210	
सम्पूर्ण योग 43 97						6.9654 हेक्टेयर	
	या	17.204	एकड़				
	या	27-10-11	बीघा				

[सं. भो.-14016/22/93-जी.पी.]

प्रमोदु सेन, निदेशक

New Delhi, the 8th March, 1994

S.O. 738.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. UP—Gradation Gas Pipeline in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the competent Authority, Gas Authority of India Ltd, UP—Gradation Pipeline Project, P.D.I.L. Building, A-14, Sector-1, Noida, Ghaziabad, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## H.B.J. UP-GRADATION GAS PIPE LINE PROJECT

Distt.	Tehsil	Paragana	Village	Chak No.	Plot No.	Acquired area in Hectare	Remarks
1	2	3	4	5	6	7	8
Agra	Kheragarh	Kheragarh	Devri		729/2	0.0580	
				189	729/1	0.3360	
					728		
					670/1		
					670/1	0.0060	
				159	670/1	0.3288	
					669		
					671		
				26	671	0.0388	
					674		
				129	668	0.0616	
					669		
				44	674	0.0480	
				195	668	0.1040	
					674		
					674		
					675		
					674	0.0224	
					668		
				43	667	0.3620	
					675		
				197	666/2	0.2400	
				70	666/1	0.1800	
					666/2		
					661/1	0.0060	
					661/3	0.3800	
					666/2		
				93	658	0.0160	
				162	658	0.2400	
					659		
					652	0.0150	
					653/1		
				281	652	0.0480	
					653/1		
				163	651/2	0.36020	
					652		
					653		
				189	651/2	0.4500	
					632		
					633		
					634		
					643		
					643	0.0060	
				196	641	0.4440	
					642		
					643		
					640		
					554		
					554		

1	2	3	4	5	6	7	8
					564		
			Devri	46	554	0.1000	
					562		
					564		
				55	562	0.2420	
					563		
					564		
					562	0.0060	
					563		
				193	562	0.4180	
					563		
					537		
					541		
					534		
				13	528	0.1700	
					530		
					531		
				128	531	0.0080	
				11	528	0.1608	
					531		
				175	526	0.1420	
					527		
					458		
				185	458	0.0840	
					458	0.0060	
				189	458	0.4500	
					520		
					518		
					516		
					515		
					515	0.0060	
				205	514	0.2790	
					515		
					495/2		
				200	495/2	0.1056	
					496		
				170	495/2	0.2540	
					494		
					491		
				163	489	0.1620	
					490		
					491		
				148	489	0.1380	
					459	0.0060	
				68	468	0.0840	
					489		
				158	468	0.3690	
					370		
					368		
					369	0.0210	
			G. Total	43	97	6.9654	Hectare
					OR	17.204	Acres
					OR	27-10-11	Bigha

नई दिल्ली, 8 मार्च, 1994

कां.आ. 739 जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिये एच.बी.जे. अप-ग्रेडेशन गैस पाईप लाईन आनी जायें और यह पाईप लाईन गैस अथारिटी आफ इंडिया लि. द्वारा बिछाया जाना है;

और यह भी अनुभव करती है कि उस कार्य के लिये इसके साथ संलग्न निवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है;

अतः पेट्रोलियम एवं खनिज पाईप लाईन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड 3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार एतद्द्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाईप लाईन बिछाने के विरोध में अपनी आपत्ति सूक्ष्म प्राधिकारी, गैस अथारिटी आफ इंडिया लि., एच.बी.जे. अप-ग्रेडेशन गैस पाईप लाईन प्रोजेक्ट, पी.डी.आई.एल बिल्डिंग, ए-14, सैक्टर 1, नोएडा गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज करते समय किसी भी व्यक्ति को यह विशेष रूप से निदिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

वाद प्रसूची

एच.बी.जे. अप-ग्रेडेशन गैस पाईप लाईन प्रोजेक्ट

जिला	तहसील	परगना	मौजा	खक नं.	गाटा सं. (पुराना)	अर्जित क्षेत्र हेक्टेयर में	अन्य विवरण
	2	3	4	5	6	7	8
आगरा	खैरागढ़	खैरागढ़	जगनेर	340	2588/1 2590 2588/2 2589/3	0.3900	
				648	2589/2 2589/3 2590 2591	0.2260	
				336	2589/2 2592	0.0960 0.0090	
				1158	2579 2589/4	0.0960	
				657	2576 2593	0.2980	
				1053	2576	0.0480	
				314	2572 2573	0.0600	
				122	2571 2572	0.1200	
				1083	2571 2576/1 2576 2572	0.1379 0.0060	

1	2	3	4	5	6	7	8
आगरा	खेरागढ़	खेरागढ़	जगनेर	934	2569/2	0.0584	
					2584	0.0800	
				160	410	0.1200	
					470		
				774	468/1-2	0.2880	
					469		
					468/2	0.0060	
				694	467	0.2200	
					414		
				1018	466/1-2	0.2800	
					464	0.0160	
					415		
				913	415	0.0360	
				1284	463	0.1160	
					464		
				932	481	0.2010	
				880	434	0.1368	
					458/1		
				1292	446	0.1180	
					457		
					458/1		
				402	416	0.0720	
					457		
					448	0.1060	
					548	0.1674	
					492	0.1056	
					588/1	0.0300	
					589	0.1716	
					588/2	0.0460	
					590/2	0.0420	
					594/9	0.0840	
				118	594/8	0.2576	
				671	594/8	0.0192	
					404	0.0780	
					594/14		
				1227	374/16	0.1020	
					399		
				477	374/16	0.2310	
					397		
					387	0.0080	
					397		
				1249	388	0.1200	
					397		
				77	378	0.0840	
				940	386	0.2240	
					384/1		



1	2	3	4	5	6	7	8
				383			
			1213	383/4		0.0156	
			1190	374/13		0.0384	
			128	382/2		0.0270	
			841	381		0.1200	
				381/1			
			411	382		0.1736	
				380			
			35	379		0.0064	
			198	312/9		0.3420	
				374/1			
				377			
				378			
				380			
				40/49		0.0120	
				312/7		0.0240	
				312/8		0.0400	
			1114	312/4		0.0950	
				312/6		0.0240	
			414	182/1		0.4510	
				184			
				185			
				186			
				182/1		0.0080	
			523	182/3		0.0192	
			680	182/1		0.0192	
			370	164		0.3400	
				173			
				181			
				182/1			
				174		0.0120	
				180			
		जगनेर	1162	174		0.1600	
			310	174		0.3000	
				175			
				176			
				177			
				130/4		0.0360	
		सम्पूर्ण योग	63	107		7.2345	हैक्टेयर
				या		17.369	एकड़
				या		28-11-16	बीघा

[सं. ओ.-14016/22/93-जी पी]

मधोचु सेन, निदेशक

New Delhi, the 8th March, 1994

S.O. 739.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. UP—Gradation Gas Pipeline in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd, UP—Gradation Pipeline Project, P.D.I.L. Building, A-14, Sector-1, Noida, Ghaziabad, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

### CASE SCHEDULE H.B.J. UP-GRADATION GAS PIPE LINE PROJECT

Distt.	Tehsil	Pargana	Village	Chak No.	Plot No.	Acquired Area in Hectare	Remark
1	2	3	4	5	6	7	8
Agra	Kheragarh	Kheragarh	Jagner	340	2588/1 2590 2588/2 2589/3	0.3900	
				648	2589/2 2589/3 2590 2591	0.2260	
				336	2589/2 2592	0.0960 0.0090	
				1158	2579 2589/3	0.0960	
				657	2576 2593	0.2980	
				1053	2576	0.0480	
				314	2572 2573	0.0600	
				122	2571 2572	0.1200	
				1083	2571 2576/1 2576 2572	0.1379 0.0060	
				934	2569/2 2584	0.0584 0.800	
				160	410 470	0.1200	
				774	468/1-2 469	0.2880	
					468/2 467	0.0060 0.2200	
				694	414		
			Jagner	1018	466/1-2 464 415	0.2800 0.0160	

1	2	3	4	5	6	7	8
			Jagner	913	415	0.0360	
				284	463	0.1160	
					464		
				932	461	0.2010	
				880	434	0.1368	
					458/1		
				1292	446	0.1180	
					457		
					458/1		
				402	446	0.0720	
					457		
					448	0.1060	
					548	0.1674	
					492	0.0156	
					588/1	0.0300	
					589	0.1716	
					588/2	0.0460	
					590/2	0.0420	
					594/2	0.0840	
				118	594/8	0.2576	
				671	594/8	0.0192	
					404	0.0780	
					594/14		
				1227	374/16	0.1020	
					399		
				477	374/16	0.2310	
					377		
					387	0.0080	
					397		
				1249	388	0.1200	
					397		
				78	288	0.0840	
				940	386	0.2240	
					384/1		
					383		
				1213	383/4	0.0156	
				1190	374/13	0.0384	
				128	382/2	0.0270	
				841	381	0.1200	
					381/1		
				411	382	0.1736	
					380		
				35	379	0.0064	
				198	312/9	0.3420	
					374/1		
					377		
					378		
					380		
					40/49	0.0120	
					312/7	0.0240	
					312/8	0.0400	
				1114	312/4	0.0930	
					312/6	0.0240	
				414	182/1	0.4510	
					184		

1	2	3	4	5	6	7	8
			Jagner		185		
					186		
					182/1	0.0080	
		523			182/3	0.0192	
		680			182/1	0.0192	
		370			164	0.3400	
					173		
					181		
					182/1		
					174	0.0120	
					180		
		1162			174	0.1600	
		310			174	0.3000	
					175		
					176		
					177		
					130/4	0.0360	
			Total	63	107	7.2345	Hectare
					OR	17.869	Acreas
					OR	28-11-16	Bigha

[No. O-14016/22/93G.P.]

ARDH INDU S IN, Director

नई दिल्ली, 8 मार्च, 1994

का.आ. 740.—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिये एच.बी.जे. अप-ग्रेडेशन गैस पाईप लाईन डाली जावे और यह पाईप लाईन गैस अथारिटी आफ इंडिया लि. द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिये इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाईप लाईन (भूमि परप्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड-3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

अर्थात् कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाईप लाईन बिछाने के लिये विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अथारिटी आफ इंडिया लि., एच.बी.जे. अप-ग्रेडेशन गैस पाईप लाईन प्रोजेक्ट, पी.डी.आई. एल बिल्डिंग, ए-14, सेक्टर-1 मोएहा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निविष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

## बाव अनुसूची

एच.बी.जे. अप-प्रोसेशन गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	मोजा	चक नं.	गांटा सं.	अर्जित क्षेत्र हेक्टेयर में	अन्य विवरण
1	2	3	4	5	6	7	8
म्रागरा	खेरागढ़	खेरागढ़	नरगावां खुर्द	—	1477	0.0300	
				511	1475	0.5900	
					1478		
					1479		
					1480		
					1487		
				95	1489	0.4640	
					1474		
					1475		
					1488		
					1502		
				610	1502	0.3320	
					1473		
					1504	0.0060	
				674	1504	0.0900	
					1506		
				520	1504	0.1440	
					1505		
					1504	0.0120	
					1505		
				68	1519	0.3960	
					1520		
					1521		
					1522		
					1534		
				66	1535	0.3112	
					1536		
					1537		
				699	1538	0.2280	
					1536		
					1537		
					1414	0.0160	
					1318	0.0360	
				513	1411	0.6000	
					1391		
					1390		
					1392		
					1393		
					1394		
					1395		
				688	1394	0.1320	
					1395		

1	2	3	4	5	6	7	8
			बस्पावां खुर्द--जारी	515	1302	0.1344	
					1395		
				707	1302	0.3200	
					1144		
				38	1147	0.2946	
					1148		
				96	1147	0.1320	
					1155		
				154	1154	0.1440	
					1155		
					1156		
					1155	0.0060	
					1159		
				42	1158	0.2840	
					1160		
				10	1160	0.3800	
					1171		
					1173		
				16	1165	0.2280	
					1171		
					1166		
				5	856	0.0480	
				234	855	0.0580	
				748	852	0.2600	
					853		
					854		
					855		
				231	843	0.2960	
					844		
				626	843	0.0880	
					844		
				216	843	0.1360	
					846		
					854	0.0300	
				12	837	0.1900	
					846		
				488	836	0.0576	
					837		
				508	741	0.0384	
					742		
				449	742	0.3360	
					836		
				---	743	0.0060	
					745		
				706	743	0.0040	
				59	745	0.2500	
				334	747	0.0864	

1	2	3	4	5	6	7	8
			781	719	0.2905		
				756			
				757			
		508	757		0.3600		
			752				
		700	757		0.3860		
			758				
			759				
			760				
		121	759		0.1530		
			760				
		461	760		0.0962		
			747		0.0600		
		642	772		0.1900		
			773				
		4	769		0.4960		
			770				
सम्पूर्ण योग-47				106	9.2263	हैक्टेयर	
					या 22.788	एकड़	
					या 36-09-05	बीघा	

[सं.ओ-14016/22/93-जी.पी.]

अर्थेन्दु सेन, निदेशक

New Delhi, the 8th March, 1994

S.O. 740.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. UP—Gradation Gas Pipeline in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd, UP—Gradation Pipeline Project, P.D.I.L. Building, A-14, Sector-1, Noida, Ghaziabad, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## CASE SCHEDULE

## H.B.J UP-GRADATION GAS PIPE LINE PROJECT

Distt.	Tehsil	Paragana	Village	Chak No.	Plot No.	Acquired Area in Hectare	Remarks
1	2	3	4	5	6	7	8
Agra	Kheragarh	Kheragarh	Bargawan Khurd	511	1477 1475 1478 1479 1480	0.3000 0.5900	

1	2	3	4	5	6	7	8
Agra	Kheragarh	Kkeragarh	Bargawan Khurd		1487		
				95	1489	0.4640	
					1475		
					1488		
					1502		
				610	1502	0.3320	
					1473		
					1504	0.0060	
				674	1504	0.0900	
					1506		
				520	1504	0.1440	
					1505		
					1504	0.0120	
					1505		
				68	1519	0.3960	
					1520		
					1520		
					1521		
					1522		
					1534		
				66	1535	0.3112	
					1536		
					1537		
				699	1538	0.2280	
					1536		
					1537		
					1414	0.0160	
					1318	0.0360	
				513	1411	0.6000	
					1390		
					1392		
					1393		
					1394		
					1395		
				688	1394	0.1320	
					1395		
				515	1302	0.1344	
					1395		
				707	1302	0.3200	
					1144		
				38	1147	0.2946	
					1148		
				96	1147	0.1320	
					1155		
				154	1154	0.1440	
					1155		
					1156		
					1155	0.0060	
					1159		
				42	1158	0.2840	
					1160		
				10	1160	0.3800	
					1171		
					1173		



1	2	3	4	5	6	7	8
			Bargawan	16	1165	0.2280	
			Khurd—Contd.		1171		
					1166		
					856	0.0480	
		234			855	0.0580	
		748			852	0.2600	
					853		
					854		
					855		
		231			843	0.2960	
					844		
		626			843	0.0880	
					844		
		216			843	0.1360	
					846		
					854	0.0300	
		12			837	0.1900	
					846		
		488			836	0.0576	
					837		
		508			741	0.0384	
					742		
		449			742	0.3360	
					836		
		—			747	0.0360	
					745		
		706			743	0.0040	
		59			745	0.2500	
		334			747	0.0864	
		781			719	0.2905	
					756		
					757		
		508			757	0.3600	
					752		
		700			757	0.3860	
					758		
					759		
					760		
		121			759	0.1530	
					760		
		461			760	0.0962	
					647	0.0600	
		642			772	0.1900	
					773		
		4			769	0.4960	
					770		
			G. Total	47	106	9.2263	Hectar
					OR	22.788	Acres
					OR	36-09-05	Bigha

[No. O-14016/22/93-G.P.]  
ARDHENDU SEN, Director

नई दिल्ली, 8 मार्च, 1994

का.आ. 741—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिये एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन खाली जाये और यह पाइप लाइन गैस अथारिटी आफ इंडिया लि. द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिये इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण) अधिनियम, 1962 (1962 का 50) के खण्ड-3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अथारिटी आफ इंडिया लि., एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट, पी.डी. आई. एल. बिल्डिंग, ए-14, सेक्टर-1, नोएडा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निविष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

बाद अनुसूची

एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	ग्राम	गाटा सं.	अर्जित क्षेत्र हेक्टेयर में	अन्य विवरण
(1)	(2)	(3)	(4)	(5)	(6)	(7)
आगरा	खेरागढ़	खेरागढ़	सराय अहमद	147	0.6840	
				143	0.0060	
				140	0.1920	
				139	0.4000	
				137	0.0480	
				138	0.0900	
				123	0.0020	
				योग	7	1.4220 हैक्.
				या	3.514	एकड़
				या	05-12-08	बीघा

[सं. ओ-14016/22/93-जी.पी.]

अर्धेन्दु सेन, निदेशक

New Delhi, the 8th March, 1994

S.O. 741.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. Upgradation Gas Pipeline in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein;

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent

Authority, Gas Authority of India Ltd, Up-Gradation Pipe-line Project, P.D.I.L. Building, A-14, Sector-1, Noida, Ghaziabad, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

**CASE SCHEDULE**  
**H.B.J. UP-GRADATION GAS PIPE LINE PROJECT**

Distt.	Tehsil	Parana	Village	Plot No.	Acquired Area in Hectare	Remark
1	2	3	4	5	6	7
Agra	Kheragarh	Kheragarh	Sarai Ahmad	147	0.6840	
				143	0.0060	
				140	0.1920	
				139	0.4000	
				137	0.4080	
				138	0.0900	
				123	0.0020	
				TOTAL		
			OR	3.514	ACRES	
			OR	05-12-08	BIGHA	

[No. O-14016/22/93—G.P.]  
ARDHENDU SEN, Director

नई दिल्ली, 8 मार्च, 1994

का.आ. 742—जबकि केन्द्र सरकार यह अनुभव करती है कि सार्वजनिक हित में यह आवश्यक है कि उत्तर प्रदेश राज्य में पेट्रोलियम एवं प्राकृतिक गैस लाने के लिये एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन डाली जाये और यह पाइप लाइन गैस अथारिटी आफ इंडिया लि. द्वारा बिछाया जाना है।

और यह भी अनुभव करती है कि उस कार्य के लिये इसके साथ संलग्न विवरणी में निर्धारित भूमि पर प्रयोक्ता का अधिकार ग्रहण करना आवश्यक है।

अतः पेट्रोलियम एवं खनिज पाइप लाइन (भूमि पर प्रयोक्ता का अधिकार ग्रहण अधिनियम, 1962 (1962 का 50) के खण्ड-3 के उपखण्ड (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्र सरकार एतद्वारा उस पर प्रयोक्ता का अधिकार ग्रहण करने की मंशा की घोषणा करती है।

बशर्ते कि उक्त भूमि में अपनी रुचि रखने वाला कोई भी व्यक्ति अधिसूचना की तारीख से 21 दिन के भीतर भूमिगत पाइप लाइन बिछाने के विरोध में अपनी आपत्ति सक्षम प्राधिकारी, गैस अथारिटी आफ इंडिया लि., एच.बी.जे. अप-ग्रेडेशन पाइप लाइन प्रोजेक्ट, पी.डी.आई.एल. बिल्डिंग, ए-14, सेक्टर-1, नोएडा, गाजियाबाद (उ.प्र.) में दर्ज करा सकता है।

और ऐसी आपत्ति दर्ज कराते समय किसी भी व्यक्ति को यह विशेष रूप से निर्दिष्ट करना होगा कि वह व्यक्तिगत रूप से अथवा विधि व्यवसायक के माध्यम से अपना मत प्रस्तुत करना चाहता है।

## वाव अनुसूची

एच.बी.जे. अप-ग्रेडेशन गैस पाइप लाइन प्रोजेक्ट

जिला	तहसील	परगना	मौजा	गाटा सं.	अर्जित क्षेत्र. हेक्टेयर में	अन्य विवरण
(1)	(2)	(3)	(4)	(5)	(6)	(7)
आगरा	खेरागढ़	खेरागढ़	खाखरा	14	0.0160	
				15	0.0870	
				12	0.3220	
				11	0.1200	
				10	0.1540	
				9	0.0060	
				7	0.0780	
				6	0.1420	
				5	0.1800	
				3	0.0336	
				2	0.0808	
				1	0.0072	
सम्पूर्ण योग				12	1.2266	हेक्टेयर
या				3.029	एकड़	
या 04-16-19					बीघा	

[सं. ओ.-14016/22/93-जी.पी.]

अर्घेन्दु सेन, निदेशक

New Delhi, the 8th March, 1994

S.O. 742.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of Petroleum & Natural Gas of H.B.J. Up-Gradation Gas Pipeline in Uttar Pradesh State Pipeline should be laid by the Gas Authority of India Ltd.

And whereas it appears that for the purpose of laying such pipeline, it is necessary to acquire the right of user in the land described in the schedule annexed hereto;

Now, therefore, it exercise of the powers conferred by sub-section (1) of the Section 3 of the Petroleum and Minerals

Pipelines (Acquisition of Right of User in the Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein,

Provided that any person interested in the said land may, within 21 days from the date of this notification object to the laying of the pipeline under the land to the Competent Authority, Gas Authority of India Ltd. Up-Gradation Pipeline Project, P.D.I.L. Building, A-14, Sector-1, Noida, Ghaziabad, U.P.

And every person making such an objection shall also state specifically whether he wishes to be heard in person or by legal practitioner.

## CASE SCHEDULE

## H.B.J. UP-GRADATION GAS PIPE LINE PROJECT

Distt.	Tehsil	Par;ana	Village	Plot No.	Acquired Area in Hectare	Remark
1	2	3	4	5	6	7
Agra	Kheragarh	Kheragarh	Khankhra	14	0.0160	
				15	0.0870	
				12	0.3220	
				11	0.1200	

	5	6
	10	0.1540
	9	0.0060
	7	0.0780
	6	0.1420
	5	0.1800
	3	0.0336
	2	0.0808
	1	0.0072
G. Total	12	1.2266 Hectare
	OR	3.029 Acres
	OR	04-16-19 Bigha

[No. O-14016/22/93-G.P.]  
ARDHENDU SEN, Director

नई दिल्ली, 17 मार्च, 1994

का. आ. 743 —यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन (अधिनियम 1962 (1962 का 50) की धारा 8 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय और नेशनल गैस विभाग की अधिसूचना का.आ.सं.825 तारीख 1-5-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने या अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस कार्पोरेशन में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

उभराट से ओ. एन. जी.सी. टर्मिनल, हजीरा तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : सूरत	तालुका : चौर्यासी		
गांव	पूराना सर्वे नंबर	हेक्टर	आरे	प्रतिआरे
	री-सर्वे बाध का नया सर्वे-नंबर			
1	2	3	4	5
मगदल्ला	107	0	42	96
	89			
	केनास	0	06	03
	106ए	0	06	84
	87/3			

1	2	3	4	5
मगदल्ला	105	0	25	20
	86			
सूरत—डुमस रोड		0	03	42
42		0	14	94
	31			
कच्चा केनाल		0	02	88
43/1/ए		0	08	06
	33/1 पैकी			
43/2/ए		0	07	06
	33/2 पैकी			
46		0	37	30
	33			
49		0	03	24
	33/5			
52		0	17	21
	71			
53		0	02	40
	70/1			
63		0	12	32
	78			
54		0	05	75
	70/2			
58		0	00	84
	76			
55		0	09	73
	69/1			
68		0	02	89
	69/2			
67		0	03	66
	66			
66		0	11	51
	65/2			
		0	02	70
	6 / 1 पैकी			

1	2	3
	91	0 01 16
	63/3	
	90	0 00 29
	53/2	
	71/1	0 36 97
	52/1	
	82	0 23 04
	50	

[सं O-12016/25/93/ओएनजीडी-IV]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th March, 1994

S.O. 743.—Whereas by notification of the Government of India in the Ministry of Petroleum & Natural Gas S.O. 825 dated 1-5-93 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline ;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has, after considering the said report decided to acquire the right of

user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

### SCHEDULE PIPELINE FROM UMBHARAT TO O.G.N.C., TERMINAL, HAZIRA

STATE : GUJARAT

DISTRICT : SURAT

TALUKA : CHORASI

Village	Old Survey H Number New Survey Number as per resurvey.	H.	Are.	P. Are
1	2	3		
Magdalla	107	0	42	96
	89			
	Canal	0	06	03
	106A	0	06	84
	87/3			
	105	0	25	20
	86			
	Surat-Dumas Road	0	03	42
	42	0	14	94
	31			

[No O-12016/25/93-ONGD-4]

M. MARTIN, Desk Officer.

1	2	3		
	Katchha Canal	0	02	88
	43/1/A	0	08	06
	33/1/ Paiki			
	43/2/A	0	07	06
	33/2/ Paiki			
	46	0	37	30
	33			
	49	0	03	24
	33/5			
	52	0	17	21
	71			
	53	0	02	40
	70/1			
	63	0	12	32
	78			
	54	0	05	75
	70/2			
	58	0	00	84
	76			
	55	0	09	73
	69/1			
	68	0	02	89
	69/2			
	67	0	03	66
	66			
	66	0	11	51
	65			
	65/2	0	02	70
	63/1 Paiki			
	91	0	01	16
	63/2			
	90	0	00	29
	53/2			
	71/1	0	36	97
	52/1			
	82	0	23	04
	50			



नई दिल्ली, 17 मार्च, 1994

का.आ. 741—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का धर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय और नैचुरल गैस विभाग की अधिसूचना का.आ.सं. 826 तारीख 1-5-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः राक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय नैल और प्राकृतिक गैस कारपोरेशन में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

उम्भराट से ओ.एन.जी.सी. टर्मिनल हज़िरा तक पाइप लाईन बिछाने के लिए।

राज्य : गुजरात

जिला : सूरत

तालुका : चोर्यासी

गाँव	सर्वे नंबर/ब्लॉक नंबर	हेक्टर	आरे	प्रतिआरे
भाटपोर	तापी नदी	1	39	68
	सरकारी जमीन	0	09	00

[सं. ओ-12016/26/93-ओएमजीडी-4]

एम मार्टिन, डेस्क अधिकारी

New Delhi, the 17th March, 1994

S.O. 744.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 826 dated 1-5-93 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

## SCHEDULE

Pipeline from Umbhrat to O.N.G.C. Terminal Hazira

State : Gujarat

District : Surat

Taluka : Chorasi

Village	Survey No./Block No.	H.	Are	Prati Are
Bhatpore	Tapi River	1	39	68
	Government Land	0	09	00

[No. O-12016/26/93-ONGC/D.A]

M. MARTIN, Desk Officer

नई दिल्ली, 17 मार्च, 1994

का.भा. 745.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का प्रजनन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय और नेचुरल गैस विभाग की अधिसूचना का.भा.सं. 827 तारीख 1-5-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों की बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस कारपोरेशन में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

## अनुसूची

उभराट में ओ.एन.जी.सी. टर्मिनल, हजीरा तक पाईप लाईन बिछाने के लिए

राज्य: गुजरात

जिला: सूरत

तालुका: चोर्वाभी

गाँव	नर्वे नंबर/ब्लॉक नंबर	हेक्टर	घारे	प्र निम्नार्थ
गवीथर	59 पैकी	0	08	80
	59 पैकी	0	39	00
	59 पैकी	0	00	20
		0	48	00
	60 पैकी	0	11	00
	60 पैकी	0	21	00
	60 पैकी	0	23	20
		0	55	20

[सं. ओ-12016/27/93 ओएनजीसी-4]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th March, 1994

S.O. 745.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 827 dated 1-5-93 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (i) of Section 6 of the said Act submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

## SCHEDULE

Pipeline from Umbharat to O.N.G.C. Terminal, Hazira

State : Gujarat	District	Surat	Taluka : Chorasi		
Village	Survey No. /Block No.		H	Are.	Prati Are.
Gavler	59 Paiki		0	08	89
	59 Paiki		0	39	00
	59 Paiki		0	00	20
			0	48	00
	60 Paiki		0	11	09
	60 Paiki		0	21	00
	60 Paiki		0	23	20
			0	55	20

[No.O-12016/27/93-ONG/D-4]

M. MARTIN, Desk Officer

नई दिल्ली, 17 मार्च, 1994

का.आ. 746.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय और नेचुरल गैस विभाग की अधिसूचना का.आ.सं. 828 तारीख 1-5-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस कापोरेशन में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की उस तारीख को निहित होगा।

## अनुसूची

उम्भराट से ओ.एन.जी.सी. टर्मिनल, हजीरा तक पाइप लाईन बिछाने के लिए

राज्य : गुजरात	जिला : बलसाड	तालुका : नवसारी			
गाँव	ब्लॉक नंबर	हेक्टर	आरे	प्रतिआरे	
उम्भराट	855 पैकी	2	04	63	
	उम्भराटी चोपयटी पाकिम लेन्ड	0	03	24	
	860	0	35	64	
	फोरेस्ट लेन्ड	1	72	98	
	(उम्भराट बरिया नजदीक)				

[सं. O-12016/28/93-ओएनजीडी-4]]

एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th March, 1994

S.O. 746.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 828 dated 1-5-93 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

### SCHEDULE

#### Pipeline from Umbharat to O.N.G.C. Terminal, Hazira

State : Gujarat

District : Valsad

Taluka : Navsari.

Village	Block No.	H.	Are.	Prati Are.
Umbharat	855 Paiki	2	04	63
	Umbharat Chopati Parking Land	0	03	24
	860	0	35	64
	Forest land Umbharat near sea.	1	72	98

[No. O-12016/28/93-ONG/D-4]

M. MARTIN, Desk Officer

नई दिल्ली, 17 मार्च, 1994

का.प्रा. 747.—यतः पेट्रोलियम और खनिज पाइपलाइन भूमि में उपयोग के अधिकार का अर्जन अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय और नेचुरल गैस विभाग की अधिसूचना का.प्रा.सं. 829 तारीख 1-5-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी हैं।

और भागे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूचि में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूचि में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और भागे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्वेश देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की धनाय तेल और प्राकृतिक गैस कारपोरेशन में, संसी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

अनुसूची

उम्भराट से ओ.एन.जी.सी. टर्मिनल, हजिरा तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात

जिला : वलसाड

तालुका : नवसारी

गाँव	सर्वे नंबर ब्लॉक नंबर	हेक्टर	आरे	प्रतिआरे
भाठा	656	7	42	68
	666	1	99	80

[सं. ओ-12016/29/93-ओ.एन.जी.सी.]

एस. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th March, 1994

S.O. 747.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 829 dated 1-5-93 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of powers conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

### SCHEDULE

Pipeline from Umbharat to O.N.G.C. Terminal, Hazira

State : Gujarat

District : Valsad

Taluka : Navasari

Village	Block No.	H.	Are.	Prati Are
Bhatha	656	7	42	68
	666	1	99	80

[No.O-12016/29/93-ONG/D-4]  
M. MARTIN, Desk Officer

नई दिल्ली, 17 मार्च, 1994

का. प्रा. 748—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय और नेचुरल गैस विभाग की अधिसूचना का. प्रा. सं. 830 तारीख 1-5-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।

अब, यतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और आगे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन देती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस कार्पोरेशन में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को विहित होगा।

### अनुसूची

उम्भराट से ओ.एन.जी.सी. टर्मिनल, हज़ीरा तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : सूरत	तालुका : ओर्यासी		
गांव	सर्वे नंबर/ब्लाक नंबर	हेक्टर	आरे	प्रतिआरे
खजोद	111/ए	6	21	36
	मीडोला नदी	0	84	60

[सं. ओ-12016/30/93-ओएनजीसी-4]  
एम. मार्टिन, डेस्क अधिकारी

New Delhi, the 17th March, 1994

S.O. 748.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 830 dated 1-5-93 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline ;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has after considering the said report decided to acquire the right of

user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

### SCHEDULE

Pipeline from Umbharat to O.N.G.C. Terminal, Nazira

State : Gujarat

District : Surat

Taluka : Chorasi.

Village	Block No.	H.	Are.	Prati Are.
Khajod	111/A	6	21	36
	Mindhola River	0	84	60

[No. O-12016/30/93-ONG-D-4]

M. MARTIN, Desk Officer

नई दिल्ली, 17 मार्च, 1994

का. आ. 749—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय और संचुरल गैस विभाग की अधिसूचना का.आ.सं. 831 तारीख 1-5-93 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था ।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है ।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ।

अब, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रवृत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है ।

और आगे उस धारा की उपधारा (4) द्वारा प्रवृत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निवेदन करती है कि उक्त भूमियों में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस कार्पोरेशन में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा ।

### अनुसूची

उम्भराट से आ.एन.जी.सी. टर्मिनल, हजोरा तक पाइप लाइन बिछाने के लिए

राज्य : गुजरात	जिला : सुरत	तालुका : चौरासा		
गाँव	सर्वे नंबर	हेक्टर	आरे	प्रतिआरे
1	2	3	4	5
आभावा	242	0	15	60
	243	0	23	05
	244	0	11	25

1	2	3	4	5
	245	0	04	32
	248/1	0	13	98
	248/2	0	13	74
	254	0	14	94
	257	0	00	10
	256	0	41	69
	258	0	14	86
	259	0	03	07
	139	0	06	73
	182	0	02	03
	कच्चा रोड	0	18	10
	166	0	02	37
	181	0	23	10
	180	0	00	56
	167	0	34	77
	169/2	0	04	28
अभाव	कच्चा रोड	0	01	80
	125/2	0	00	63
	125/3	0	06	77
	125/4	0	00	20
	126/1	0	09	80
	124/1	0	04	41
	112	0	28	44
	114	0	13	68
	113	0	00	75
	कच्चा रोड	0	01	62
	59/1	0	05	85
	59/2	0	05	67
	30	0	08	73
	502	1	46	88
	507/506	3	00	96

[नं. ओ-12016/31/93-ओ.एन.जी.सी. 4]

एम. माटिन, डेस्क अधिकारी

New Delhi, the 17th March, 1994

S.O. 749.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 831 dated 1-5-93 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline ;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government ;

And further whereas the Central Government has, after considering the said report decided to acquire the right of

user in the lands specified in the schedule appended to this notification ;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline ;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

## SCHEDULE

Pipeline from Umbharat to O.N.G.C. Terminal Haziru

State : Gujarat

District : Surat

Taluka : Chorasi

Village	Survey No.	H	Are.	Pratj. Are.
Abhava	242	0	15	60
	243	0	23	05
	244	0	11	25
	245	0	04	32
	246/1	0	15	98
	246/2	0	13	74
	254	0	14	94
	257	0	00	10
	256	0	41	69
	258	0	14	86
	259	0	05	07
	139	0	06	73
	182	0	02	03
	Cart Track	0	18	10
	166	0	02	37
	181	0	23	10
	180	0	00	56
	167	0	34	77
	169/2	0	04	28
	Cart Track	0	01	80
	125/2	0	00	63
	125/3	0	06	77
	125/4	0	00	20
	126/1	0	09	90
	124/1	0	04	41
	112	0	28	44
	114	0	13	68
	113	0	00	75
	Cart Track	0	01	65
	59/1	0	05	85
	59/2	0	05	67
	50	0	08	73
	502	1	46	88
	507, 506	3	00	96

[No. O-12016/31/93-ONG/D-4]

M. MARTIN, Desk Officer

नई दिल्ली, 17 मार्च, 1994

का.आ. सं. 750.—यतः पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम मंत्रालय और नैचुरल गैस विभाग की अधिसूचना का.आ. सं. 832 तारीख 1-5-98 द्वारा केन्द्रीय सरकार ने उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग के अधिकार को पाइपलाइनों को बिछाने के लिए अर्जित करने का अपना आशय घोषित कर दिया था।

और यतः सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन सरकार को रिपोर्ट दे दी है।

और आगे, यतः केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् इस अधिसूचना के संलग्न अनुसूची में विनिर्दिष्ट भूमियों में उपयोग का अधिकार अर्जित करने का विनिश्चय किया है।



अत्र, अतः उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा घोषित करती है कि इस अधिसूचना में संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमियों में उपयोग का अधिकार पाइपलाइन बिछाने के प्रयोजन के लिए एतद्वारा अर्जित किया जाता है।

और अग्रे उस धारा की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार केन्द्रीय सरकार में निहित होने की बजाय तेल और प्राकृतिक गैस कोपोरेशन में, सभी बाधाओं से मुक्त रूप में, घोषणा के प्रकाशन की इस तारीख को निहित होगा।

## अनुसूची

उम्भरत से ओ.एन.जी.सी. टर्मिनल, हजीरा तक पाईप लाईन बिछाने के लिए

राज्य : गुजरात—	जिला : वलसाड	तालुका : जनावरी		
गांव	ब्लॉक नंबर	हेक्टर	अग्रे	प्रतीअग्रे
दांती	240 पैकी	4	10	40
	केनाल	0	00	18
	केनाल	0	00	18
	240 पैकी	0	45	54
	दांती मंगोली रोड	0	05	04
	91	0	02	34
	90	0	06	22
	कच्छा रोड	0	02	61
	70	0	22	50
	71	0	30	24
	72	0	09	00
	कच्छा रोड	0	19	98
	62	0	11	88

[सं. ओ-12016/32/93/ओएनजी सी 4]

एम. माटिन, डैस्क अधिकारी

New Delhi, the 17th March, 1994

S.O. 750.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas S.O. 832 dated 1-5-93 under sub-section (1) of Section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline;

And whereas the Competent Authority has under sub-section (1) of Section 6 of the said Act, submitted report to the Government;

And further whereas the Central Government has, after considering the said report decided to acquire the right of

user in the lands specified in the schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of the Section 6 of the said Act, the Central Government hereby declares that the right of user in the said lands specified in the schedule appended to this notification hereby acquired for laying the pipeline;

And further in exercise of power conferred by sub-section (4) of that section, the Central Government directs that the right of user in the said lands shall instead of vesting in the Central Government vests on this date of the publication of this declaration in the Oil and Natural Gas Corporation Ltd. free from encumbrances.

## SCHEDULE

Pipeline from Umbharat to O.N.G.C. Terminal, Hazira

State : Gujarat

District : Valsad

Taluka : Navsari

Village	Block No	H.	Are.	Prati Are.
1	2	3	4	5
Danti	240 Paiki	4	10	40
	Canal	0	00	18
	Canal	0	00	18
	240 Paiki	0	45	54

1	2	3	4	5
	Danti—Maroli road	0	05	04
	91	0	02	34
	90	0	06	22
	Cart Track	0	02	61
	70	0	22	50
	71	0	30	24
	72	0	09	00
	Cart Track	0	19	98
	62	0	11	88

[No. O-12016/32/93-ONG/D-4]

M. MARTIN, Desk Officer

शहरी विकास मंत्रालय

(दिल्ली प्रभाग)

शुद्धि-पत्र

नई दिल्ली, 23 फरवरी, 1994

का. आ. 751.—यतः दिल्ली विकास अधिनियम, 1957 (1957 का 61) की धारा 11-क की उपधारा (2) के अंतर्गत, भारत के राजपत्र के भाग—II खण्ड 3 के उप-खण्ड (ii) में पृष्ठ 3280—3281 पर प्रकाशित भारत सरकार, शहरी विकास मंत्रालय के दिनांक 25-10-93 के का. आ. 2282 की अधिसूचना द्वारा केन्द्र सरकार ने छत्तरपुर, दिल्ली में सी-डाट की भूमि के भू-उपयोग को “मनोरंजनात्मक” से “सार्वजनिक तथा अर्ध-सार्वजनिक (संस्थान गत)” उपयोग में बदलने के लिए दिल्ली बृहद् योजना/क्षेत्रीय विकास योजना में संशोधन करने का नोटिस दिया था;

2. और यतः केन्द्र सरकार के ध्यान में यह लाया गया है कि भू-उपयोग परिवर्तन के लिए प्रस्तावित भूमि के वास्तविक क्षेत्रफल के बारे में राजपत्र में उक्त अधिसूचना के प्रकाशन में कतिपय त्रुटि हुई थी।

3. यतः अब केन्द्र सरकार, उक्त अधिनियम की धारा 11—क की उप-धारा (2) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, एतद्वारा प्रस्तावित संशोधन में सुधार करती है, जो इस प्रकार है :—

संशोधन की प्रथम संशोधन की प्रथम पंक्ति में “48 एकड़ भूमि” के स्थान पर “40 एकड़ भूमि” पढ़ा जाये।

[संख्या-के—13011/11/93-डी. जी. 1 बी.]

एम. सी. सागर, अपर सचिव

MINISTRY OF URBAN DEVELOPMENT

(Delhi Division)

CORRIGENDUM

New Delhi, the 28th February, 1994

S.O. 751.—Whereas by the notification of the Government of India in the Ministry of Urban Development No. S.O. 2282 dated 25-10-1993, published in the Gazette of India Part II Section 3 Sub-Section (ii) at page 3280-3281 issued under Sub-Section (2) of Section 11-A of Delhi Development Act 1957 (61 of 1957), the Central Government gave notice of its inten-

tion to modify the Master Plan/Zonal Development Plan for Delhi regarding the change of land use of land belonging to C-DOT at Chattarpur, Delhi from ‘recreational’ to ‘public and semi-public (Institutional)’ use;

2. And whereas it has been brought to the notice of the Central Government that certain error regarding the exact area of land proposed for change of land use had occurred in the publication of the said notification in the Gazette;

3. Now, therefore, in exercise of powers conferred by Sub-Section (2) of Section 11-A of the said Act, the Central Government hereby amends the proposed modification as follows:

In the first line of the modification in place of “48 acres of land” read “40 acres of land”.

[No. K-13011/11/93-DDIB]

S. C. SAGAR, Under Secy.

संचार मंत्रालय

(दूर-संचार विभाग)

नई दिल्ली, 28 फरवरी, 1994

का. आ. 752.—केन्द्रीय सरकार, राजभाषा (भंग के शासकीय प्रयोजनों के लिए प्रयोग) नियम 1976 के नियम 10(4) के अनुसरण में, संचार मंत्रालय के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालयों, जिनमें 80% में अधिक कर्मचारियों ने हिंदी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एतद्वारा अधिसूचित करती है:

गुजरात दूरसंचार सचिव

1. केन्द्रीय तारघर, सूरत
2. केन्द्रीय तारघर, आणंद
3. केन्द्रीय तारघर, नाडियाद
4. केन्द्रीय तारघर, मोधरा
5. केन्द्रीय तारघर, भरुच
6. केन्द्रीय तारघर, वापी
7. केन्द्रीय तारघर, नवगारी
8. केन्द्रीय तारघर, वलसाड
9. केन्द्रीय तारघर, विदिभोरा
10. केन्द्रीय तारघर, दाहोद
11. उप मंडल अधिकारी, तार, गोंडल
12. उप मंडल अधिकारी, तार, मोरवी

13. उप मंडल अधिकारी, तार, धोराजी
14. उप मंडल अधिकारी, फोन, जेतपुर
15. मंडल अभियंता फोन (आंतरिक अनुसंधान) कस्तूरबा एक्स. राजकोट
16. मंडल अभियंता फोन (आंतरिक अनुसंधान) ज्युबेलीबाग एक्स. राजकोट

[सं. ई. 11016/1/94--राजभाषा]  
एच. सी. शर्मा, उप निदेशक (राजभाषा)

## MINISTRY OF COMMUNICATIONS

(Department of Telecommunications)

New Delhi, the 28th February, 1994

S.O. 752.—In pursuance of Rule 10(4) of the Official Language (Use for Official purposes of the Union) Rules, 1976, the Central Government hereby notifies following offices of the Ministry of Communications where of more than 80 per cent staff have acquired working knowledge of Hindi:—

### GUJARAT TELECOM. CIRCLE

1. Central Telegraph Office, Surat.
2. Central Telegraph Office, Anand.
3. Central Telegraph Office, Nadiad.
4. Central Telegraph Office, Godhara.
5. Central Telegraph Office, Bharuch.
6. Central Telegraph Office, Wapi.
7. Central Telegraph Office, Navsari.
8. Central Telegraph Office, Balsad.
9. Central Telegraph Office, Vilvaora.
10. Central Telegraph Office, Dahod.
11. Sub Divisional Officer Telegraphs, Gondal.
12. Sub Divisional Officer Telegraphs, Morbi.
13. Sub Divisional Officer Telegraphs, Dhoraji.
14. Sub Divisional Officer Phones, Jetpur.
15. Divisional Engineer, Phones (Indoor Mtee) Kasturba Exchange Rajkot.
16. Divisional Engineer, Phones (Indoor Mtee) Jyubeli-bagh Exchange, Rajkot.

[No. E.11016/1/94-OL]  
H. C. SHARMA, Dy. Director (OL)

नई दिल्ली, 28 फरवरी, 1994

का. आ. 753.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10(4) के अनुसरण में, संचार मंत्रालय के प्रशासनिक नियंत्रणाधीन निम्नलिखित कार्यालयों, जिनमें 80% से अधिक कर्मचारियों ने हिन्दी का कार्यसाधक ज्ञान प्राप्त कर लिया है, को एनडू द्वारा अधिगूचित करती है:

### महाराष्ट्र दूरसंचार सर्किल

1. महाप्रबंधक, दूरसंचार कार्यालय, नासिक
2. जिला दूरसंचार अभियंता कार्यालय, भंडारा
3. उप मण्डल अधिकारी तार, भंडारा
4. उप मण्डल अधिकारी तार, गोंदिया
5. सहायक अभियंता फोन्स, आसगांव
6. सहायक अभियंता फोन्स, (समूह) गोंदिया
7. महाप्रबंधक दूरसंचार (विदर्भ), नागपुर
8. दूरसंचार जिला अभियंता, यवतमा
9. दूरसंचार जिला अभियंता, अमरावती

10. दूरसंचार अभियंता, यवतमाल
11. दूरसंचार जिला अभियंता, पलढाना
12. दूरसंचार जिला अभियंता, वर्धा
13. प्रवर अधीक्षक तार परियात, नागपुर विभाग, नागपुर
14. मुख्य अधीक्षक, केन्द्रीय तारघर, नागपुर

[सं. ई. 11016/1/94--राजभाषा]  
एच. पी. शर्मा, उप निदेशक (राजभाषा)

New Delhi, the 28th February, 1994

S.O. 753.—In pursuance of Rule 10(4) of the Official Language (Use for Official purposes of the Union) Rule, 1976, the Central Government hereby notifies following offices of the Ministry of Communications where of more than 80 per cent staff have acquired working knowledge of Hindi:—

### MAHARASHTRA TELECOM. CIRCLE

1. General Manager, Telecom, Nasik
2. Telecom. District Engineer, Bhandara
3. S.D.O. Telegraphs, Bhandara
4. S.D.O. Telegraphs, Gondia
5. Asstt. Engineer Phones, Asgaon
6. Asstt. Engineer Phones, Gondia
7. General Manager Telecom. (Vidarbha), Nagpur
8. Telecom. District Engineer, Akola
9. Telecom. District Engineer, Amarawati
10. Telecom. District Engineer, Yawatmal
11. Telecom. District Engineer, Buldhana
12. Telecom. District Engineer, Wardha
13. Sr. Supdt. Telegraph Traffic, Nagpur Vibhag, Nagpur
14. Chief Supdt. CTO, Nagpur.

[No. E-11016/1/94-OL]  
H. C. SHARMA, Dy. Director (OL)

नागर विमानन और पर्यटन मंत्रालय

नई दिल्ली, 28 फरवरी, 1994

का. आ. 754.—केन्द्रीय सरकार, वायुयान अधिनियम, 1934 (1934 का 22) की धारा 8 की उपधारा (1) के अनुसरण में और भारत सरकार के तत्कालीन परिवहन और विमानन मंत्रालय (विमानन विभाग) की अधिसूचना सं. का. आ. 2305, तारीख 22 जुलाई, 1966 को उन बातों के गिनाय अधिकांत करने हुए, जिन्हें ऐसे अधिक्रमण के पूर्व किया गया है या करने का वादा किया गया है, उक्त उपधारा के प्रयोजनों के लिए नीचे विनिर्दिष्ट अधिकारियों को प्राधिकृत करती है, अर्थात्:—

सहानिदेशक, नागर विमानन  
संयुक्त सहानिदेशक, नागर विमानन  
उप सहानिदेशक, नागर विमानन  
निदेशक, उड्डयन योग्यता  
उप निदेशक, उड्डयन योग्यता  
उड्डयन योग्यता नियंत्रक  
ज्येष्ठ उड्डयनयोग्यता अधिकारी  
वायु सुरक्षा, निदेशक  
वायु सुरक्षा, उपनिदेशक  
वायु सुरक्षा, क्षेत्रीय निदेशक  
वायु सुरक्षा, सहायक निदेशक

उप्रेष्ठ वायु सुरक्षा अधिकारी  
विनियमन और सूचना निदेशक  
वायु परिवहन उप निदेशक  
प्रशिक्षण और अनुज्ञापन निदेशक

[फा. सं. ए.वी. - 11012/6/92-ए]

एम. भट्टाचार्य, अवर सचिव

# MINISTRY OF CIVIL AVIATION AND TOURISM

(Department of Civil Aviation)

New Delhi, the 28th February, 1994

S.O. 754.—In pursuance of sub-section (1) of Section 8 of the Aircraft Act, 1934 (22 of 1934) and in supersession of the notification of the Government of India in the than Ministry of Transport and Aviation (Department of Aviation) number S.O. 2305, dated the 22nd July, 1966, except as respect thing done on omitted to be done before such supersession, the Central Government hereby authorises the officers specified below for the purpose of the said sub-section, namely:—

1. Director General, Civil Aviation.
2. Joint Director General of Civil Aviation.
3. Deputy Director General of Civil Aviation
4. Director of Airworthiness.
5. Deputy Director of Airworthiness
6. Controller of Airworthiness.
7. Senior Airworthiness Officer.
8. Director of Air Safety.
9. Deputy Director of Air Safety.
10. Regional Controller of Air Safety.
11. Assistant Director of Air Safety.
12. Senior Air Safety Officer.
13. Director of Regulations and Information
14. Deputy Director of Air Transport.
15. Director of Training and Licensing.

[F. No. AV. 11012/6/92/A]

M. BHATTACHARJEE, Under Secy.

नई दिल्ली, 28 फरवरी, 1994

का.भा. 755.—पवनहंस लिमिटेड के शापन और संगम अनुच्छेद के अनुच्छेद 38(क) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, राष्ट्रपति, वायुसेना मुख्यालय के प्रचालन निदेशक (परिवहन और तटवर्ती) के पद पर नए पदधारी एयर/कोमोडोर बी.के. सुन्दर को, एयर/कोमोडोर जे.एस. राय जिन्होंने प्रचालन निदेशक (परिवहन और तटवर्ती) वायुसेना मुख्यालय का पद छोड़ दिया है के स्थान पर तत्काल प्रभावी रूप से पवनहंस लिमिटेड के निदेशक मण्डल में पदेन निदेशक नियुक्त करते हैं।

[संख्या एवी 13015/81/88-एसीवीएल]

एम. भट्टाचार्य, अवर सचिव

New Delhi, the 28th February, 1994

S.O. 755.—In exercise of the powers conferred by Article 38(a) of the Memorandum and Articles of Association of

Pawan Hans Limited, the President is pleased to appoint new incumbent of the post of Director of Operations (Transport and Maritime), Air HQ, A/Cdr. B. K. Sunder, as an ex-officio Director on the Board of Pawan Hans Limited, with immediate effect vice A/Cdr. J. S. Rai who has since demitted the office of Director of Operations (Transport and Maritime) Air HQ.

[No. Av. 13015/81/88-ACVL]

M. BHATTACHARJEE, Under Secy

अवर सचिव

नई दिल्ली, 24 फरवरी, 1994

का.भा. 756.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टेलीकाम डिस्ट्रिक्ट इंजीनियर, टेलीकाम डिपार्टमेंट, चन्द्रपुर के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मचारियों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 1 बम्बई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-2-1994 को प्राप्त हुआ था।

[सं. एल. - 40012/217/91-आईआर (डी.ए.)]

के. वी. बा. उन्नी, डेस्क अधिकारी

## MINISTRY OF LABOUR

New Delhi, the 24th February, 1994

S.O. 756.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal, No. 1, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Telecom. Distt. Engineer, Telecom. Deptt., Chandrapur and their workmen, which was received by the Central Government on 22-2-1994.

[No. L-40012/217/91-IR(DU)(Pt.)]

K. V. B. UNNY, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1 AT BOMBAY

PRESENT :

Shri Justice R. G. Sindhar, Presiding Officer  
Reference No. CGI-1/47 of 1992

PARTIES :

The Employers in relation to the Management Telecom, District Engineer, Telecom. Deptt., Chandrapur (MS).

AND

Their Workmen.

APPEARANCES :

For the Employer : Shri Kataria, Advocate.

For the Workmen : Shri Borikar, Advocate.

INDUSTRY : Telecommunications. STATE : Maharashtra. Bombay, dated the 14th February, 1994

## AWARD

The following reference has been made to this Tribunal by the Government of India, Ministry of Labour, by letter dated 15-06-1992, for adjudication under section 10(1)(d), read with Section 2(A) of the Industrial Disputes Act, 1947 (hereinafter referred to as the Act) :

"Whether the action of the Management of Telecom District Engineer, Telecom. Deptt., Chandrapur in

terminating the services of Shri D. G. Ganveer is justified? If not, what relief he is entitled to?"

2. Admittedly, Shri Ganveer was in the employment of the Party No. 1, i.e., the Telecom. Department, Chandrapur on daily wages with effect from January, 1984. According to him, he worked as a typist on a daily wage of Rs. 13 in a vacant post of a typist. He was all of a sudden in July, 1988, asked not to come. This was only an oral direction and no written order was passed. According to him, his juniors continued in service, and fresh employees were also appointed. In spite of repeated requests, to the Management to employ him, the Management did not, and his approach to the higher authorities also failed, and when he realised about the false assurances he approached the Assistant Labour Commissioner (Central) who in turn informed the Central Government about the failure of the negotiations, and that has led to the present reference to this Tribunal.

3. It is contended that he has worked as a Typist depending upon the availability of work, and it is contended that he worked in the office of the District Telecom. Engineer, Chandrapur. It is further contended that he worked without a break upto July 1986. It is further contended that while he was working in the vacant post of a typist, in the year he was asked not to come for work.

4. Written statement has been filed by the Management, and it is denied that he was working as a typist. It is further contended by the Management that with effect from 15-07-1986, he on his own, abandoned work. It is denied that his juniors were retained and it is also denied that fresh employees were appointed. The Management submitted that he worked as a Casual Mazdoor. It is denied that his representations remained unanswered. While denying that he was advised to make fresh application for providing work as a Casual Mazdoor, he according to the Management left the work without informing the Management and even asked for a certificate of experience with a view to join some other organisation. It is then contended that there is no termination much less, illegal and arbitrary termination against the principles of natural justice. It is also denied that he is entitled for reinstatement and back wages.

5. The parties have produced documents, and there has been no oral evidence on either side. I have heard the arguments advanced on either side.

6. The workman has produced Xerox copy of two certificates issued by the Management to Shri Ganveer.

7. The first certificate shows that from January 1984 to September, 1984, he worked for a total number of 249 days as a Casual Mazdoor. The second one shows that he worked for a total period of 500 days between October 1984 and July 1986. It is the grievance of Shri Ganveer, that after having worked in this manner till July 1986, he was all of a sudden asked not to come for work. As against this, the Management contended that it is Ganveer who stopped coming for work. It is rather difficult to accept the line of argument advanced by the Management in the light of these two certificates issued by the Accounts Officer, Telegraphs Department, Chandrapur, showing that he worked ceaselessly for 249 days between January 1984 and September 1984. The number of days mentioned against each month clearly show that he worked for all the 31 days of January, all the 29 days of February, all the 31 days of July and August, and 30 days of September. This shows that he did not even have a single day's respite during these months, and in April, May and June also he worked for 25 days, 25 days, and 28 days in each month, and it is only in the month of March, he worked for 19 days.

8. Coming to the next certificate again, he has worked for 500 days in 22 months. This is an indication of the fact that he was anxious to have work, and it is difficult therefore, to accept the contention of the Management that it is he who quit the job, and stopped coming for work. He continued writing to the Management asking for work and once again indicating that he was anxious to have work and I am inclined to hold that such a person must not have abandoned work as contended by the Management. It is to

be noted that in the written statement, the Management also stated that his employment was depending upon availability of work. Nothing has been shown on record indicating non-availability of work.

9. This according to the workman, is a case of termination of services without following the provision of law.

10. Reliance has been placed upon Section 2 'oo' of the Act, to show that it is a case of retrenchment and reliance is placed further on Section 25B, and 25F and 25N of the Act. Section 2('oo') defines retrenchment as a termination for any reason whatsoever, otherwise than by way of Disciplinary Action, and it does not include:

(a) Voluntary retirement.

(b) Retirement of workman on reaching on the age of superannuation, if the contract of employment between the workman and the employer contains any stipulation in that behalf.

OR

(bb) termination of services of a workman as a result of non-renewal of contract of employment between the Employer and the workman on its expiry or of such contracts being terminated under a stipulation in that behalf contained therein.

OR

(c) termination of services of a workman on the ground of continued ill-health.

In my opinion, the termination of the services of the workman in the present case, is a case of retrenchment, because it is not covered by any of the exceptions carved out under Section 2'oo' of the Act. Emphasis could be laid on the words, for "any reason whatsoever".

11. If it is a case of retrenchment, Section 25 would apply, and Section 25B gives definition of continuous service. Sub-Section (2) of Section 25-B says what is deemed to be "in continuous service". It is deemed to be "in continuous service", if in a period of 12 calendar months immediately preceding the date with reference to which calculation is to be made, the workman works for not less than 240 days. Dealing with a case like the present one in hand, it is seen in this case from the second certificate produced by the workman that he has worked for 275 days during the 12 preceding calendar months, and this is more than 240 days, and, therefore, he shall be deemed to be in continuous service for a period of one year and if this is so, Section 25 -F shall be attracted, which lays down the procedure to be followed for retrenchment, and admittedly none of these has been followed.

12. The workman's contention is that, all of a sudden he was orally told not to come for work, and, I am inclined to accept that contention for the reasons stated above. I am not prepared to accept the contention of the Management that he stopped coming for work. I have come to the conclusion that therefore, this is a case of retrenchment, and the Management has not given one month's notice, he has not been paid any compensation, no notice in the prescribed manner has been served on the appropriate Government as required under Section 25-N of the Act. If notice under Section 25-N is not given and no application for permission is made, retrenchment is deemed to be in violation of Section 25-F and Section 25-N of the Act. It that is so, the termination being illegal, the finding will have to be recorded in the negative on the point referred for adjudication.

13. I, therefore, hold that, the action of the Management in terminating the services of Shri Ganveer is not justified and the consequences are that; he is entitled to reinstatement with full back wages.

14. Award accordingly, with no order as to costs.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 22 फरवरी, 1994

का.प्रा. 757:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 15) की धारा 17 के अनुसरण में, केन्द्रीय

सरकार, उसे दिनांक 21/2/94 को प्राप्त बिहार स्टेट मिनरल डेवलपमेंट प्रबंधन के संबंध में उनके कर्मकारों और नियोक्ताओं के बीच हुए औद्योगिक विवाद के संबंध में अनुबंध में यथोक्त केन्द्रीय सरकार औद्योगिक अधिकरण एवं न्यायालय नं. 1 धनबाद के पंचाट को प्रकाशित करती है।

[सं. एन-29011/8/89-आई. आर. (विविध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 22nd February, 1994

S.O. 757.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Central Government Industrial Tribunal-cum-Labour Court No. 1, Dhanbad, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. Bihar State Mineral Development Corporation and their workmen, which was received by the Central Government on 21-2-1994.

[No. L-29011/8/89-IR(Misc.)]

B. M. DAVID, Desk Officer

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1,

#### DHANBAD

In the matter of a reference under Section 10(1)(d)(2-A) of the Industrial Disputes Act, 1947

Reference No. 108 of 1989

#### PARTIES :

Employers in relation to the management of M/s. Bihar State Mineral Development Corporation Ltd.

#### AND

Their Workmen.

#### PRESENT :

Shri P. K. Sinha, Presiding Officer

#### APPEARANCES :

For the Employers—Shri R. S. Murthy, Advocate

For the Workmen—None.

STATE : Bihar.

INDUSTRY : Mineral.

Dated, the 3rd February, 1994

#### AWARD

By Order No. L-29011/8/89-IR(Misc.) dated the 18th September, 1991, the Central Government in the Ministry of Labour, has, in exercise of its powers conferred by clause (d) of Sub-section (1) and Sub-section (2 A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the demand of the Bihar Rajya Pathaher Tore Mazdoor Union, Daltonganj on the management of M/s. Bihar State Mineral Development Corporation Ltd. for departmentalisation of Sri Prem Chand Topra and 35 others is justified? If so, what relief are these workmen entitled to?"

2. From the record it appears that the case had been coming on for ex-parte hearing in view of the fact that since the year 1990 no one had appeared on behalf of the workman.

3. From the record it appears that more than once notices were issued to the sponsoring Union and once even Acknowledgement Due had returned still the sponsoring Union did not take any interest in the matter. No doubt, order-sheet dated 6-8-1992 shows that an Advocate had appeared for the workmen, but there is no authority on the record for his appearance.

4. Therefore, it appears that the sponsoring Union has since long stopped taking interest in the matter inspite of issuance of notices.

5. It, therefore, appears that the sponsoring Union does not intend to pursue the case and has no interest left in the matter. In such circumstance, it is useless to drag the case further. Therefore, I render a 'no dispute award' in this case

P. K. SINHA, Presiding Officer

नई दिल्ली, 22 फरवरी, 1994

का.आ. 758:—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, उसे दिनांक 21-2-94 को प्राप्त स्टोन माईन्स, बुन्दी प्रबंधन के संबंध में उनके कर्मकारों और नियोक्ताओं के बीच हुए औद्योगिक विवाद के संबंध में अनुबंध में यथोक्त औद्योगिक अधिकरण कोटा के पंचाट को प्रकाशित करती है।

[सं. एन-29012/6/89-आई. आर. (विविध)]

बी.एम. डेविड, डेस्क अधिकारी

New Delhi, the 22nd February, 1994

S.O. 758.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Industrial Tribunal Kota, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of Stone Mines, Bundi and their workmen, which as received by the Central Government on 21-2-1994.

[No. L-29012/6/89-IR(Misc.)]

B. M. DAVID, Desk Officer

#### अनुबंध

न्यायाधीश, औद्योगिक न्यायाधिकरण (केन्द्रीय) कोटा/राज. / निर्देश प्रकरण क्रमांक: ओ. न्या. (केन्द्रीय)--2/1989  
दिनांक स्थापित: 16/3/89

प्रसंग: भारत सरकार, श्रम मंत्रालय, नई दिल्ली के आदेश संख्या एन. 29012/6/89/आई. आर. (विविध) दि. 8/3/89

औद्योगिक विवाद अधिनियम, 1947

#### मध्य

जनरल सेक्रेटरी, जनरल मजदूर यूनियन, झानावाड।

—प्रार्थी यूनियन

#### एवं

रवि त्यागी माईन ओनर केथूनीपोल, कोटा।

—प्रतिपक्षी नियोजक

#### उपस्थित

श्री जगदीश नारायण शर्मा,

आर. एच. जे. एन.

प्रार्थी यूनियन की ओर से प्रतिनिधि:—

श्री एन. के. तिवारी

प्रतिपक्षी नियोजक की ओर से प्रतिनिधि

श्री लीलाधर अग्रवाल

अधीनस्थ दिनांक: 28 अक्टूबर, 1993

## अधिनियम

New Delhi, the 25th February, 1994

भारत सरकार, श्रम मंत्रालय, नई दिल्ली द्वारा निम्न निर्देश औद्योगिक विवाद अधिनियम, 1947 (जिसे तदुपरांत "अधिनियम, 1947" से सम्बोधित किया जावेगा) की धारा 10(1)(घ) के अन्तर्गत इस न्यायाधिकरण की अधिनियमाधिकार प्रदान किया गया है:—

"Whether the termination of the services of Shri Hajari S/o Shri Bhawarlal, Stone Cutter by Shri Ravi Tyagi mine owner of stone Mines of Guda at Rajpura Distt. Bundi w.e.f. 25-4-88 is justified? If not, what relief the workman is entitled to?"

2. निर्देश न्यायाधिकरण में प्राप्त होने पर दर्ज रजिस्टर किया गया व पक्षकारों को सूचना भिजवाई गयी जिस पर दोनों पक्षों की ओर से अपने-अपने अन्तर्गत प्रस्ताव दिये गये।

3. इस प्रकरण में श्रमिक पक्ष की ओर से उनकी समय मिले जाने उपरान्त कोई साक्ष्य उपलब्ध नहीं करवायी गयी और दि. 6/7/93 को भी उनकी ओर से कोई साक्ष्य उपलब्ध नहीं कराने के कारण उनकी साक्ष्य बन्द की गयी। आज प्रतिपक्षी पक्ष की ओर से भी कोई उपस्थित नहीं हुआ और न उनकी ओर से कोई साक्ष्य उपलब्ध करवायी गयी, इस कारण उनकी भी साक्ष्य बन्द की गयी। श्रमिक प्रतिनिधि श्री एन.के. तिवारी उपस्थित हुए, जिन्हें सुना गया। यदि श्रमिक पक्ष की ओर से अपने-अपने कथन समर्थन में किसी प्रकार की साक्ष्य अथवा दस्तावेज प्रस्तुत कर किसी तथ्य की पुष्टि नहीं की गयी और काफी समय मिले जाने उपरान्त उनकी साक्ष्य बन्द की गयी है। अतः क्वेस्टनेस्ट के समर्थन में साक्ष्य के अभाव में इस प्रकरण में "विवाद रहित अधिनियम" पारित किया जाता है।

इस अधिनियम को भारत सरकार, श्रम मंत्रालय, नई दिल्ली को नियमानुसार प्रकाशितार्थ भिजवाया जावे।

जगदीश नारायण शर्मा, न्यायाधीश

नई दिल्ली, 25 फरवरी, 1994

का.ग्रा. 759.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गत में, केन्द्रीय सरकार, उमे दिनांक 23/2/94 को प्राप्त सैमर नव भारत कार्पोरेशन प्रबंधन के संबंध में उनके कार्यकर्ताओं और नियोजकों के बीच हुए औद्योगिक विवाद के संबंध में अन्तर्विध में यथोक्त केन्द्रीय सरकार औद्योगिक अधिनियम नं. 1 वम्बई के पंचाट को प्रकाशित करती है।

[सं. एल-31011/2/91-आई.आर. (विविध)]

वी.एम. डेविड, डेस्क अधिकारी

S.O. 759.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby published the award of the Central Government Industrial Tribunal-Labour Court No. 1, Bombay, as shown in the Annexure, in the Industrial Dispute between the employers in relation to the management of M/s. Nav Bharat Corporation and their workmen, which was received by the Central Government on 23-2-1994.

[No. L-31011/2/91-IR (Misc.)]

B. M. DAVID, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. 1  
AT BOMBAY

## PRESENT :

Justice Shri R. G. Sindhakar, Presiding Officer.

REFERENCE NO. : CGIT-1/79 OF 1991

## PARTIES :

The Employers in relation to the Management of  
M/s. Nav Bharat Corporation, Bombay.

## AND

Their Workmen.

## APPEARANCES :

For the Employer—Shri Shroff, Advocate

For the Workmen—Shri Wagh, Advocate.

INDUSTRY : Port and Dock.

STATE : Maharashtra.

## AWARD

Bombay, the 9th day of February, 1994

The Government of India, Ministry of Labour, New Delhi, made the following reference to this Tribunal for adjudication under Section 10(d) of the Industrial Disputes Act, 1947, read with Section 2-A of the Act.

"Whether the Management of M/s. Nav Bharat Corporation Clearing and Forwarding Agents, operating in the Port of Bombay is justified in not regularising the services of S Shri (1) A. D. Chavan (2) H. B. Yadav, (3) S. M. Gadhave, (4) V. M. Dembra, (5) S. S. Jadhav, (6) C. D. Gosavi and (7) B. G. Rao—Dock Clerks, from the date of joining services of the Management? If not, to what relief are these workmen entitled to?"

2. Statement of claim has been filed on behalf of the workmen, in which they stated that they have been continuously working for considerably long time, and mentioned the years in which they joined the services. Their grievance is that, their names were not entered in the Muster Roll and were paid salary much less than their counter-parts enrolled in the Muster. Their conditions of service were also not on par. They addressed communications to the Management, through the Union, to which no reply was received, and ultimately it was denied by the Company through its Advocate's letter that they were not employees, and therefore, not entitled to any benefit. As a result, they approached the Government which made the present reference.

3. Written statement has been filed on behalf of the Company, and the allegations made in the statement of claim are denied.

4. On the 9th of February, 1994, the parties have arrived at a settlement and a copy of the memorandum of settlement has been filed by the Learned Advocates appearing on either side. The Learned Advocates requested me to pass an Award in terms of that settlement. I find that, the terms are clear and very much in the interest of the parties. Therefore, there should be no difficulty in drawing an award in terms of the settlement.

5. As a result of this award, they are entitled to various sums mentioned against their names in Annexure 'A' to the said settlement, which shall form part of the award.

6. Award accordingly.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 22 फरवरी, 1994

का. अ. 760—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसूचन में, केन्द्रीय सरकार, बैंक ऑफ महाराष्ट्र के प्रबन्धन के संबद्ध निोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई-1 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 22-2-1994 को प्राप्त हुआ था।

[संख्या एन-12012/162/91-आई.अ.र. (बी-2)]

वी.के. शर्मा, डेस्क अधिकारी

New Delhi, the 22nd February, 1994

S.O. 760.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bombay No. 1 as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Bank of Maharashtra and their workmen, which was received by the Central Government on the 22-2-1994.

[No. L-12012/162/91-IR(B-II)]

V. K. SHARMA, Desk Officer

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#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. 1, BOMBAY

PRESENT:

Shri Justice R. G. Sindhakar, Presiding Officer

REFERENCE NO. CGIT-70 OF 1991

PARTIES:

Employers in relation to the management of Bank of Maharashtra

AND

Their workmen

APPEARANCES:

For the Management : Shri A. P. Nayak, Manager

For the Workmen : Shri Vinayak Karmarkar, General Secretary of the Union.

INDUSTRY : Banking. STATE : Maharashtra.

Bombay, dated the 11th day of February, 1994

#### AWARD

Following reference has been made by the Government of India, Ministry of Labour, New Delhi, by letter dated Nil, received in this office on 26-8-1991.

"Whether the action of the management of Bank of Maharashtra in relation to its Wathambre branch in denying the post of Cashier-in-charge to Shri C. N. Nilgunde after transfer of Shri P. H. Hausekar from Wathambre to Challe branch in deviation from the circular No. AXI/ST/SPL/108/74 dated 5-8-74 is justified? If not, to what relief the workman is entitled to?"

2. The admitted facts can be stated at the outset.

3. Shri Hausekar was the Cashier-in-charge at Wathambre branch. Shri Nilgunde, on whose behalf this grievance has

been made is below Shri Hausekar in seniority and was working as a Clerk at Wathambre Branch, and Shri Khadthare was junior to Shri Nilgunde. This is the order of seniority at the Wathambre branch at the material time.

4. A new branch was to be opened at Challe, and Shri Hausekar, according to the union requested for a transfer to that branch which was to be opened in June 1987. He being the seniormost in the Challe branch, his request for transfer was considered by the management. However, it is the case of the union that, he made a representation to the branch and which was accepted by the management and he took charge as a Cashier-in-charge at Wathambre branch.

5. The grievance is that, under the circular issued, it was clear that the seniormost in the branch, should be considered for allotment of Cash Allowance Posts of Cashier-in-charge, and after the transfer of Shri Hausekar, Shri Nilgunde was the seniormost, and therefore, he should have been given that post. It is the case of the union, that on transfer of Shri Hausekar, on his request, to Challe Branch, he lost his earlier seniority and should have been placed at the bottom in seniority so far as Wathambre branch is concerned.

6. The management has filed its written statement and it is contended therein that it is true that an order transferring Shri Hausekar to Challe Branch was issued on 26-6-87. However, the proposed Challe Branch could not be opened in June 1987 due to some difficulties. Hausekar submitted separate application for cancelling his transfer to Challe on the ground of domestic difficulties and the management acceded to his request and issued a cancellation order on 29-8-1987. It is further stated that Shri Hausekar had applied for and proceeded on sick leave before the transfer order dated 26-6-1987 to Challe Branch was issued. The management further stated that Shri Hausekar never joined Challe branch and it cannot be said that as a result of mere passing of the order of transfer, he lost his seniority at Wathambre branch.

7. The union had also stated that the management having realised its mistake of allotting the post of Cashier-in-charge to Shri Hausekar issued a notice under section 9(A) for withdrawal of the wrongly allotted post of Cashier-in-charge to him and on 31-8-1989, the said notice was withdrawn. On behalf of the management it was stated that by mistake, such a notice was issued and that mistake was rectified later on.

8. It is also contended by the management that there has been a settlement dated 13-4-87 stating that the service seniority should be the criterion for allotment of allowance posts. This settlement has been arrived at between the union and the management. It is contended that the management has followed the provisions of the said settlement. In this behalf, the union states in its rejoinder, that Shri Hausekar became ineligible as per the settlement because he was relieved from Wathambre branch and he was retransferred to Wathambre branch.

9. It is denied that Shri Hausekar was retransferred to Wathambre branch and contended that in fact his transfer to Challe was cancelled, and as a result of this, he continued to be at Wathambre branch.

10. On behalf of the union, written argument has been submitted, and the management has advanced oral argument in reply.

11. The first order (Exh. E-1) is an office order dated 26-6-1987, by which, the management has with reference to the request of Shri Hausekar, transferred him to the proposed Challe branch, District Solapur, as a Clerk-cum-Cashier with immediate effect. It is further seen from Annexure 'B' (Exh. E-2), a letter addressed to the Central Office, by Shri Hausekar, that he made an application stating that his wife was suffering from T.B., and his mother suffered Blood Pressure and since medical facilities were not available at Challe, he requested for a transfer to Pandharpur, and he further agreed to forgo the Cash Allowance, and join as Clerk at Pandharpur. By letter dated 29-8-1987 (Annexure-C) Exh. E-3, Shri Hausekar was informed by the management that the transfer order dated 26-6-1987 was cancelled as a very special case, and since he had availed second change of request transfer, he was informed that he will not be entitled for any more request transfer in future Exhibit F-4, (Annexure-D) another office order dated 22-8-1987 states that Shri Hausekar has been relieved with instructions to report for duty at Challe branch immediately.



12. The circular on which reliance has been placed is dated 5-8-1974, and clause 4 of the said circular reads;

"Persons transferred on request/compassionate ground shall rank for seniority list vis-a-vis persons of the same class already working there."

Also in clause one of the same circular, it has been stated clearly, that;

"Normally, all allowance posts go by seniority, unless there is something adverse against or wrong with the person concerned or he is unwilling to take the post, and for this purpose, the seniority to be considered is, the seniority at the Branch/Divisional Office/Central Office, and any allowance post pertaining to a cadre is to be allotted to the seniormost person in that cadres, unless as stated above, there is something adverse against/wrong with such person or he is unwilling to take that post. Seniority at the Branch/Divisional Office/Central Office is to be decided on the basis of the date of joining at the Branch/Divisional Office/Central Office subject to the following qualifications."

The qualifications are mentioned in clause 2 onwards, one of them being clause '4', reference to which has been made above.

13. Therefore, so far as this circular is concerned, it speaks of seniority at the branch and admittedly Hausekar was senior at Wathambre branch, and was therefore holding the post of Cashier. True it is that he was transferred to Challe Branch, and that branch could not be opened in June, as decided earlier, and in the meantime, Shri Hausekar also had some difficulties in joining Challe Branch and therefore, he requested for his transfer to Pandarpur branch. The management has stated that the earlier transfer order came to be cancelled and as a result he came back to Wathambre branch. The contention of the union is that as a result of his transfer and as a consequence of which he was relieved from Wathambre branch, he lost his seniority in that branch and could not regain the same on he being retransferred to Wathambre branch. As against this, the management contended that it was so in case of retransfer. It is further contended that however, in this case, he had not taken charge at Challe branch or any other branch, and all that was done by the management was to cancel his transfer order to Challe branch. He therefore, did not lose his seniority. It is also contended that before the passing of the transfer order to Challe branch, he was on sick leave, which was duly sanctioned by the Branch Manager, and he resumed duties at Wathambre branch after availing the leave, and in the meanwhile his transfer order to Challe branch was cancelled.

14. I find that the grievance made by the union is based on a hyper technical interpretation of the circular. It is true that the circular states that a person transferred on request/compassionate ground shall rank for seniority list. However, in my opinion, this clause cannot be applied to the present case. If a person's request is for a transfer to a particular branch on compassionate ground, obviously, he cannot claim any benefit on the ground of seniority over those who are already working there and disentitle those persons to which they would have been otherwise entitled. In the present case, Shri Hausekar was working as a Cashier-in-charge at Wathambre branch, and on his request he was transferred to Challe branch (proposed) and he was also relieved from Wathambre branch by another order. However, if the transfer order was given effect and he had joined at Challe branch, then, this clause was definitely applicable to him and he could not regain his seniority on his transfer to Wathambre branch. It is to be noted that in this case, he was on sick leave when the order was issued, and he resumed his duties at Wathambre branch, there he was working, and was getting the allowance on the basis of his seniority. He applied for a transfer to Chelle branch which was to be opened but not opened in June and his request was considered by the management, and which position is not disputed. In the meanwhile, he found some domestic difficulties about treatments for his wife and his mother and in the circumstances, the management did not retransfer him but cancelled

the order of transfer. In view of these circumstances, I am unable to hold that he lost his seniority at Wathambre branch.

15. The management has contended that there has been a settlement arrived at between the union and the management dated 11-4-1987, in which it has been agreed that seniority should be the criterion for allotment of allowance posts. However, the union has disputed that there is any such settlement as alleged by the management, and the management has not produce any material in support, and therefore, I am not inclined accept that submission of the management.

16. It is then contended that the management had given a notice under section 9(A). However, the management has stated in reply that such a notice was withdrawn. In view of this, I do not think that it is necessary to consider the effect of that. Even assuming that such a notice was given, the interpretation of the provisions of the circular is in my view highly technical and therefore, it cannot be said that the management was not justified in denying the post of Cashier-in-charge to Shri C. N. Nilgunde.

Award accordingly with no order as to costs.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 24 फरवरी, 1994

का.प्रा. 761—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, केनरा बैंक के प्रबन्धतांत्र के संबद्ध नियोजकों और उनके कार्यकर्ताओं के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में श्रम न्यायालय, इनाकुलम के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-2-94 को प्राप्त हुआ था।

[संख्या एन-12012/425/90 आई आर (बी-2)]

बी.के. शर्मा, डेस्क अधिकारी

New Delhi, the 24th February, 1994

S.O. 761.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Labour Court, Ernakulam shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Canara Bank and their workmen, which was received by the Central Government on 23-2-94.

[No. L-12012/425/90 IR(B-II)]

V. K. SHARMA, Desk Officer

ANNEXURE

IN THE LABOUR COURT, ERNAKULAM  
(Monday, the 31st day of January, 1994)

PRESENT:

Shri M. V. Vishwanathan, B.Sc., LL.B., Presiding Officer.

Industrial Dispute No. 1 of 1991 (C)

BETWEEN

The General Manager, Canara Bank, Head Office,  
Bangalore-560 002.

AND

The Secretary, Canara Bank Employees Union, Gunapai  
Junction, P.B. No. 3673, Ernakulam, Kochi-682 035,  
Kerala.

REPRESENTATIONS :

Sri. M. C. Sen, Advocate, Cochin-16 —For Management.

Sri. M. Ramachandran, Advocate, Kichi-17.—For Union.

## AWARD

This industrial dispute was referred to this Court by the Central Government as per the Order No. L-12012/425/90-IR B(II) dated 6-3-1991. The dispute is between the management of Canara Bank and their workman Sri V. N. Kanakan represented by the Secretary, Canara Bank Employees Union. The issue referred for consideration is "Whether the action of the management of Canara Bank in dismissing Sri V. N. Kanakan, Peon, Banerji Road, Ernakulam with effect from 21-11-1988 is justified? If not, to what relief the workman is entitled?"

2. The workman concerned Sri. V. N. Kanakan was working at the Banerji Road Branch of the Management Bank. While he was working there, he was chargesheeted for misconduct within the meaning of Chapter-II, Regulation-3, Clause (M) of Canara Bank Service Code. A domestic enquiry was ordered to enquire into the said charges of misconduct. The enquiry officer conducted domestic enquiry and found the workman guilty of said charges levelled against him. The management accepted the findings and the punishment proposed by the enquiry officer. There by the workman concerned Sri. V. N. Kanakan was dismissed from service with effect from 21-11-1988. The workman raised an industrial dispute regarding his dismissal from service and it resulted in the present reference.

3. The union representing the workman concerned led claim statement disputing the validity of the domestic enquiry and the findings thereon. The union prayed for reinstatement of the workman with continuity of service and full back wages.

4. The management filed written statement thereby supported the domestic enquiry and the findings thereon. They prayed for upholding the domestic enquiry and the action of the management in dismissing the workman from their service.

5. The union has also filed a reply statement refuting the contentions raised by the management in the written statement.

6. But when the case was taken up by this court for considering the validity of the domestic enquiry, the learned counsel for the union submitted that the workman has no objection with regard to the propriety of the enquiry. But the workman challenged the validity of the findings of the enquiry officer. The workman has also endorsed to that effect on the claim statement filed before this Court.

7. So the next point for consideration is regarding the sustenance of the findings of the enquiry officer and that of the punishment imposed on the workman.

8. The fact that the workman concerned received Rs. 690 on 3-8-1987, Rs. 646 on 3-9-1987 and Rs. 690 on 5-10-1987 from the management Bank for remitting the same to the Electricity Board towards electricity charges of the management bank is an admitted fact. It is also an admitted fact that said amounts were not remitted on the respective date. But the amounts were remitted only on 22-10-1987. The case of the workman is that he entrusted the said amounts with his friend for remitting the same to the Electricity Board; but his friend failed to remit the same. The said case of the workman would make it crystal clear that he was negligent in performing his duty as peon of the management bank. He had no authority to entrust the Bank's money with any other person. It is further to be noted that the case of the workman that he entrusted the amount with his friend on 3-8-1987, 3-9-1987 and 5-10-1987 for remitting the same to Electricity Board cannot be believed in the circumstance of the case. It is highly improbable to believe that the workman again and again entrusted the money with his friend that too without getting receipt or the electricity card for the earlier payments. The enquiry officer has considered and appreciated the entire evidence on record and come to a just and proper conclusion. He has given the reasons and grounds for disbelieving the evidence of the defence witness. There is nothing wrong in accepting the evidence of the management witnesses MW1 and MW5 examined in the domestic enquiry. They deposed about the misconducts committed by the workman. It is to

be noted that MW5 who conducted the preliminary investigation in the matter has categorically deposed about the alteration made in the receipts issued from the Electricity Board. This witness had the occasion to meet the Executive Engineer of the Electricity Board and had the occasion to verify the correctness of the said receipt. The evidence on record is sufficient enough to hold that the workman has committed the misconduct. So the findings of the enquiry officer that the workman concerned is guilty of misappropriation of the amounts received from the Banerji Road Ernakulam Branch is to be upheld. The workman concerned or the union has not succeeded in establishing their case that the findings of the enquiry officer are perverse. On the other hand, a reading of the enquiry report and the perusal of the evidence on record would show that the findings are based on the evidence on record. Hence I have no hesitation to uphold the findings of the enquiry officer. Hence I do so.

9. The next aspect for consideration is regarding the sustenance of the punishment imposed on the workman. It is true that the workman concerned has got an unblemished service record. He was not chargesheeted for any misconduct on any earlier occasion. The management witnesses have deposed about the integrity of the workman concerned. But the management has not considered the previous service record of the workman concerned, while imposing the punishment of dismissal. It is further to be noted that the workman has only committed a temporary misappropriation of funds. He remitted the electricity charges with surcharge and their penalty. The management bank has not sustained any loss. It is true that the workman has committed serious misconduct of temporary misappropriation of funds of the management bank. But the severe punishment of dismissal awarded is disproportionate and excessive. So this Court is of the view that the punishment of barring three increments with cumulative effect will be sufficient to meet the ends of justice. It is an admitted fact that the workman was dismissed from the service with effect from 21-11-1988. He was out of employment on all these years. That itself is a punishment for the misconduct committed by him. So the workman can be reinstated without backwages but with continuity of service.

10. In the result, the punishment of dismissal imposed on the workman is set aside. A punishment of barring three increment with cumulative effect is imposed on the workman for the misconduct committed by him. The management is directed to reinstate the workman without backwages but with continuity of service. An award is passed accordingly. Ernakulam,

31-1-1994.

M. V VISHWANATHAN, Presiding Officer.

## APPENDIX

Witness examined on the side of Management:  
MW1. Sri. Simon Dodingh.

Exhibits marked on the side of Management  
Ext. M1. File relating to enquiry proceedings

नई दिल्ली, 2 मार्च, 1994

का.आ. 762—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, इंडियन ओवरसीज बैंक के प्रबन्धन के संबंध नियोजको और उनके कर्मचारों के बीच, अनुबंध में निश्चित औद्योगिक विवाद में औद्योगिक अधिकरण, मद्रास के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 1-3-94 को प्राप्त हुआ था।

[संख्या एल-12012/22/93-आर्डी आर (बी-2)]

बी.के. शर्मा, डेस्क अधिकारी

New Delhi, the 2nd March, 1994

S.O. 762.— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government

hereby publishes the Award of the Industrial Tribunal, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Overseas Bank and their workmen, which was received by the Central Government on the 1-3-94.

[No. L-12012/22/93-IR(B-II)]

V. K. SHARMA, Desk Officer

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU MADRAS

Friday, the 11th day of February, 1994

#### PRESENT :

THIRU K. SAMPATH KUMARAN, B.A., B.L., Industrial Tribunal.

#### INDUSTRIAL DISPUTE NO. 76/93

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workman and the Management of Indian Overseas Bank, Madras).

#### BETWEEN

The Workman represented by  
The General Secretary,  
I.O.B. Emp. Union,  
P.B. No. 5231, 763 Anna Salai,  
Madras-600 002.

#### AND

The Dy. General Manager,  
Indian Overseas Bank,  
Annasalai, Madras-600 002.

#### REFERENCE :

Order No. L-12012/22/93-IR(B-II), dated 30-7-93, Ministry of Labour, Government of India, New Delhi.

This dispute coming on this day for final disposal in the presence of Thiru P. Arumugham, for Tvl. Aiyar & Dolaa, Advocates appearing for the Workmen and Tvl. N. G. R. Prasad and S. Vaidyanathan, Advocates appearing for the Management and the Workmen having not been filed the Claim statement this Tribunal passed the following.

#### AWARD

This dispute between the Workmen and the Management of Indian Overseas Bank, Madras arises out of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 by Government of India, for adjudication of the following issue :

"Whether the action of the management of Indian Overseas Bank, in dismissing the services of Sri K. Murugesan, w.e.f. 11-10-89 is justified ? If not, to what relief is the workman entitled to ?"

Claim statement not filed. Further time refused. Again called at 5.40 p.m. Petitioner called absent.

Industrial dispute dismissed for default.

Dated, this the 11th day of February, 1994.

THIRU K. SAMPATH KUMARAN, Industrial Tribunal

नई दिल्ली, 2 मार्च, 1994

का.अ. 763--औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार, इंडियन ओवरसीज बैंक के प्रबन्धन के संबंध नियोक्तों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण मद्रास के पंचपट को

प्रकाशित करती है, जो केन्द्रीय सरकार को 1-3-94 को प्राप्त हुआ था।

[संख्या एल-12012/20/93-आई आर (बी-2)]

वी.के. शर्मा, डेस्क अधिकारी

New Delhi, the 2nd March, 1994

S.O. 763.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Industrial Tribunal, Madras as shown in the Annexure, in the industrial dispute between the employers in relation to the management of Indian Overseas Bank and their workmen, which was received by the Central Government on the 1-3-94.

[No. L-12012/20/93-IR(B-II)]

V. K. SHARMA, Desk Officer

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL, TAMIL NADU MADRAS

Friday, the 11th day of February, 1994

#### PRESENT :

THIRU K. SAMPATH KUMARAN, B.A., B.L., Industrial Tribunal.

#### INDUSTRIAL DISPUTE NO. 75/1993

(In the matter of the dispute for adjudication under Section 10(1)(d) of the Industrial Disputes Act, 1947 between the Workman and the Management of Indian Overseas Bank, Madras).

#### BETWEEN

Sri A. Jakkariah,  
No. 5, 380 Thiruvelluvar Street,  
Vandiyur Post, Sadasiva Nagar,  
Madurai-625 120.

#### AND

The General Manager,  
Personnel Deptt.  
I.O.B. Head Office,  
Annasalai, Madras-600 001.

#### REFERENCE :

Order No. L-12012/20/93-IR(B-II), dated 29-7-93, Ministry of Labour, Government of India, New Delhi.

This dispute coming on this day for final disposal in the presence of Tvl. N.G.R. Prasad & S. S. Vaidyanathan, Advocates appearing for the Management upon perusing the reference & other connected papers on record and the petitioner-workman being absent, this Tribunal passed the following.

#### AWARD

This dispute between the workman and the management of Indian Overseas Bank, Madras arises out of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947 by Government of India, for adjudication of the following issue :

"Whether the action of the Management of Indian Overseas Bank in dismissing Sri A. Jakkariah from the services of the bank is justified ? If not, what relief, Sri Jakkariah is entitled to ?"

No representation for petitioner. Petitioner called absent. Passed over 11.47 a.m.

Again called at 5.45 p.m. Petitioner called absent. No representation for petitioner. Industrial dispute dismissed for default.

Dated, this the 11th day of February, 1994.

THIRU K. SAMPATH KUMARAN, Industrial Tribunal

नई दिल्ली, 24 फरवरी, 1994

का.प्र. 764—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, एस सी सी एन के प्रबन्धतंत्र में संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, हैदराबाद के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-94 प्राप्त हुआ था।

[संख्या एल-22012/158/89-आई आर सी II]

राजानाल, उम्क अधिकारी

New Delhi, the 24th February, 1994

S.O. 764.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Industrial Tribunal, Hyderabad as shown in the Annexure, in the industrial dispute between the employers in relation to the management of SCC Ltd. and their workmen, which was received by the Central Government on 24-2-94.

[No. L-22012/158/89-IR-C-II]

RAJA I.A.L., Desk Officer

#### ANNEXURE

#### BEFORE THE INDUSTRIAL TRIBUNAL AT HYDERABAD

#### Present :

Sri Y. Venkatachalam, M.A., B.L., Industrial Tribunal-I.  
Dated, 9th day of February, 1994

INDUSTRIAL DISPUTE NO. 90 OF 1989

#### BETWEEN

The Workmen of S.C. Co. Ltd, Area-I, Ramagundam Division, Godavarihanchi, Karimnagar Distt. (A.P.).  
.. Petitioner

#### AND

The Management of Singareni Collieries Company Limited, Area-I, Ramagundam Division, Godavarihanchi, Karimnagar District.  
.. Respondent

#### Appearances :

M/s. G. Bikshapathi, G. Vidyasagar, N. Viswanatham, N. Vinesh Raj, Advocates for the Petitioner.

M/s. K. Srinivasa Murthy, G. Sudha, V. Ranga Reddy, and Ch. Praveen Choudhary, Advocates for the Respondent.

#### AWARD

The Government of India, Ministry of Labour, by its Order No. L-22012(158)/89-IR(C.II), dt. 15/18-12-1989 referred the following dispute under Section 10(1)(d) (2A) of the Industrial Disputes Act, 1947 between the Management of M/s. Singareni Collieries Company Limited, Area-I, Ramagundam Division and their Workmen to this Tribunal for adjudication :

"Whether the action of the Management of Singareni Collieries Co. Ltd., Area-I, Ramagundam Division in not promoting S/Sri Macherla Laxmaiah and T. Kumaraswamy, General Mazdoors GDK 2A Incline (Cat. II as Bunker Door Mazdoors is justified ? If not, to what relief the workmen concerned are entitled ?"

This reference was registered as Industrial Dispute No. 90 of 1989 and notices were issued to both the parties.

2. The brief facts of the claim statement filed by the Petitioner read as follows : It is submitted that Macherla Laxmaiah and T. Kumara Swamy, concerned workmen in the dispute are

appointed in the Singareni Collieries Company in the year 1976 as General Mazdoors in Cat. I. The concerned workmen were asked to perform the duties of Bunkers Door Mazdoors since 12 years. The lorry muccadams Bunker Door Mazdoor are in the Cat. II. Although the concerned workmen are performing duties as Bunker Door Mazdoors, they are not paid the category II wages nor promoted as regular Bunker Mazdoors. Number of representations have been made to the management but in vain. Having no other alternative, the workmen through the petitioner Union raised dispute vide letter dt. 9-8-1988. It is submitted that the concerned workmen were appointed as general mazdoor in Category I but were required to perform Bunker Door Mazdoors in Category II since 12 years in GDK-2A Incline. As Bunker-Door Mazdoors, the workmen are required to supervise loading of lorries, keeping the bunkers clean, issuance of challans etc. It is submitted that the concerned workmen are entitled to Category II Wages from the date of their engagement as Bunker Door Mazdoors. The action of Respondent in not paying the Category II wages is illegal and arbitrary. The Respondent management did not dispute that the workmen are not working as Bunker Door Mazdoors from 1978. Whereas the Bunker Door Mazdoors are given Category II wages in the Singareni Collieries Company Limited also. Hence the action of the Respondent in not extending the same benefit to concerned workmen is illegal. It is submitted that similarly situated employees in GDK 5 and 5A Incline, namely S/Sri Mohd. Ankoosh, Vallala Veeraiah and Ajit Singh were promoted to Category II to work as Lorry Muccadam/Bunker-Door Mazdoor with effect from 1-8-1978. The concerned workmen herein are also entitled for similar promotion from 1-8-1978. Denying the same and not paying Category II wages, although extracting same work from the concerned workmen is illegal and arbitrary. It is therefore, prayed that the Hon'ble Court may be pleased to hold that the action of the Management in not promoting S/Sri Macherla Laxmaiah and T. Kumara Swamy General Mazdoors as Cat. II Bunker Door Mazdoors is illegal and pass an award directing the Respondent to promote the concerned workmen as Cat. II Bunker Door Mazdoors w.e.f. 1-8-1978 with all consequential benefits including arrears of salary.

3. The brief facts of the counter filed by the Respondent-Management read as follows :—It is true both the workmen S/Sri Macherla Laxmaiah and T. Kumaraswamy were appointed as General Mazdoors in the Company on 17-1-1975 and 11-11-1976 respectively. It is also true that they were posted on duty to Bunker Door and discharging the duties there. There is no such designation in the Company like "Lorry Muccadam Bunker Door Mazdoor". No categorisation has been made by the Company with regard to "Lorry Muccadam Bunker Door Mazdoors". It may be noticed there are lorry muccadams and there are bunker doors mazdoors. The general mazdoors in Cat. I may go to various posts in higher Categories I, II, III, IV and V. But there is no promotion channel like automatic promotion from Category I to II, II to III, III to IV etc. It may be noticed if the employees are really working in higher category since last 12 years, they could have raised the dispute 12 years back itself. The allegations that number of representations have been made to the management but in vain is not correct. It may be noticed the practice in the Respondent Company is whenever a post falls vacant due to exigencies of work, leave or absence the workmen in other lower categories will be asked to do that job and they will be paid the acting allowance, i.e. the difference between the substantive post and the post in which he is acting. The workman in dispute never worked in higher category. So question of making payment of acting allowance also does not arise. All through they are discharging the duties of Cat. I. Infact, there is no dispute between the workmen and the management as there is no such promotion channel from Cat. I to Cat. II. Therefore question of promotion from one post to the other without change of duties does not arise. The allegation the Bunker Door Mazdoors are required to supervise the loading of lorries is totally false. Infact some of the Lorry Muccadams of the Company raised a dispute stating that they are supervising. Cat. I nature of job is purely a unskilled job and the bunker door mazdoors are also general mazdoors. They clean around the bunkers and pull the chains attached to pulleys of bunker to load and unload the coal which does not require and skill. There are clerks in all the shifts to issue challans. There are designations according to the works assigned to them and categories are fixed according to skill, qualifications and type of work

With regard to categorisation there was no discussion because it was not raised as dispute by the Union. It may be noticed near every Pit-head there is a bunker and the tubs will be unloading the coal from the mine to bunkers and the lorries which have to be filled will come under the bunker and the duty of the bunker mazdoor is to pull the chain, automatically the pulley operates and coal in the bunker gets loaded into the lorry. Except this operation no operation is done by the General Mazdoors at the bunkers. There is no higher skill required for pulling the chain to open the doors. The workmen never issued challans. The allegation that the Bunker Door Mazdoors are given Cat. II is totally false. It may be noticed Lorry Muccadams/Bunker Door Mazdoors is different from Bunker Door Mazdoor. It may be noticed Lorry Muccadams is a higher category post than General Mazdoor. Normally in higher category jobs some of the lower category jobs will also be there. Keeping in view of certain exigencies and conditions higher category workmen are asked to discharge the duties of lower category and so they should not deny to do such lower category jobs double designations are given. It is submitted in GDK-5 and 5A Incline there are no sanctioned posts like Lorry Muccadams Bunker Door Mazdoors. There are no merits in the petitioner's case. The workmen in dispute are not entitled for promotion to Cat. II Bunker Door Mazdoors w.e.f. 1-8-1978 nor consequential benefits and arrears. In view of the above mentioned facts this Hon'ble Court may be pleased to dismiss the claim petition.

4. The point for adjudication is whether the action of the Respondent in not promoting S/Sri Macherla Laxmaiah and T. Kumaraswamy, General Mazdoors GDK 2A Incline Cat. II as Bunker Door Mazdoors is justified or not.

5. W.W1 is examined for the Petitioner-workmen and marked Exs. W1 to W5. M.W.1 and M.W.2 were examined on behalf of the Respondent and marked Exs. M1 and M2.

6. W.W1 is T. Kumara Swamy. He deposed that he was appointed in the Respondent-Company on 11-11-1976 as Badli Filler. From 1978 he was working as Coal Filler. From 15-6-1980 he was given Category I General Mazdoor, and he was working as Bunk Door Mazdoor from 1980 onwards continuously till today. He is paid first category wages. The Bunk Door Mazdoor is in the second Category. He made several representations to the Respondent for promoting him to Cat. II, as he was discharging the duties of Cat. II. No response was given by the Respondent. Ex. W1 is the representation dt. 9-8-1988. Ex. W2 is the failure report dt. 12-4-1989. Ex. W3 is the general letter dt. 2-9-1988 issued by the Respondent under marking a copy to him. Ex. W4 is the xerox copy of the promotion order dt. 31-8-1978 promoting as Bunk Door Mazdoors in respect of S/Sri Mohd. Ankush, V. Veeraiiah and Ajit Singh. Ex. W5 is the xerox copy of the office order dt. 21/23/11-1979 promoting S/Sri R. Rajam, M. Komariah and B. Rajam. He prays that as he was discharging the duties of Cat. II, he may be promoted to Cat. II from Cat. I.

7. M.W1 is Iqbal Ahmed. In brief he deposed that he knows the facts of this case. M. Laxmaiah and Kumaraswamy were working as General Mazdoor on surface. Laxmaiah joined in the company in 1975 and Kumaraswamy in 1976 as General Mazdoors. In their company there are no designation like Lorry Muccadam/Bunker Door Mazdoor. Basing on the nature of work and the area where they are posted for the purpose of identification, these Mazdoors are identified with the nature of work as suffix or prefix. For example, a mazdoor is posted on surface is called as Surface General Mazdoor, sampling mazdoor, mason mazdoor, lamp room mazdoor, Survey mazdoor etc. All these mazdoors are in Category I. There is no post of Lorry Muccadam at Mines. At GDK 2A Incline, these workers are working on surface. GDK 2A Incline is an underground mine. In the wage Board description also, there is no designation like for muccadam or Bunker Door Mazdoor working in the underground mine. There is no muccadam and it is not a skilled job. The general mazdoor after deputing them for a particular job, after some years, they acquired skills and basing upon their skills, they are eligible for applying for promotional posts basing on available vacancies. There is no promotion channel from general mazdoors to the alleged category given by the Union as there was no such category at all. In normal course the promotion channel

is in ascending order from Category I to III & IV. The general mazdoor who acquire the skills, basing upon the skills, they can go for a promotional post from Category I to II, III & IV at a time basing on the skills test they passed. There are supervising authorities in the mine like Overman, Under Manager and then the Colliery Manager. The workmen were not given any supervisory job by the Respondent. For Category I general mazdoors, the Respondent company never allowed supervisory jobs. The general mazdoors and the workmen in dispute work along with the Cat. IV, V & VI and as well as the supervision. The nature of the job performed by these workmen i.e., putting the chain does not need any skill. Because these general mazdoors are working at Bunker on surface for the purpose of identification they are called as bunker mazdoors. They are in Category I. The allegation of the Union that the bunker mazdoor is a specialised skilled job so they should be fitted in Category II is not correct. There is no procedure like placing the employee in higher category paying more money basing on their personal needs. Ex. M1 is the office order dt. 5-8-90 upgrading 36 various categories of people Ex. M2 is office order dt. 9-2-90 issued to 222 general mazdoors under service linked upgradation scheme promoting them to higher grade. S. No. 196 pertains to M. Laxmaiah and T. Kumaraswamy S. No. 36 in Ex. M1. GDK 5A Incline is an independent mine and it cannot be compared with GDK 2A Incline. Certain categories seniority was fixed within the mine. All lower categories are fixed in the mine whereas supervisory category seniority was fixed area-wise. In Ex. W3 the S.O.M. G. Appu Rao issued this letter and Bunker Door Mazdoor word was used in addressing for the purpose of identifying the mazdoor. Ex. W5 does not pertain to their Mine and he is not aware of such document. Same is the case of Ex. W4. He is not party to Ex. W2 document, or pertains to GDK 2A Incline. The workmen are not entitled for demanding for promotion. The alleged designation and is retrospective effect.

8. M.W2 is Bichayya. In brief he deposed that he is working as Superintendent of Mines at Godavarikhani. He is incharge of GDK 5 Incline. He became Superintendent of Mines in the year 1990. Prior to that he was working as Mines Manager. From GDK 5 one Kilometer distance 5A Incline. This GDK 2 & 2A Inclines are situated 1-1/2 to 2 K. Ms. distance. All the Mines are identical in nature. At GDK 5 the bunkers are receiving coal on conveyor belt from 600 meters from Pit Mouth. The coal bunkers are having 250 tons capacity and special arrangement were made whereas the GDK 2, 2A, 5A the bunker capacity is within 25 to 30 tonnes. These bunkers are near to Pit Mouth. When the bunkers near to Pit Mouth the general mazdoor issue coal to the lorries and the challan were written by Manway Clerk. At GDK 5 the Bunker is far away from Pit Mouth the mazdoor issues the coal and write challan he will also give the charge to how much coal is in the bunker and how much issued, and those mazdoors directly report to the shift incharge. The shift incharge is Overman. The general mazdoor also have to give report to the Under Manager. The dumping yard also will be looked after by these mazdoors. All the above mentioned jobs are discharged by Ankoos, Golla Veeraiiah and Ajit Singh. The same type of work will not be discharged by those mazdoors at GDK 2 & 2A Incline, 5A Incline is also similar to 2 & 2A Incline. At 5 Incline the designation was given as Bunker Door Mazdoor. They are in second category. At 5 Incline bunkers there is a screening arrangement. From there these bunker mazdoors have to send the coal to power house, and also to Central Coal Screening Plant and also he has to maintain the record. GDK 2, 2A and 5A Inclines there is no dispatch of coal to power house the coal is sent to Central Screening Plant and no record is maintained by the workers near the Bunkers at GDK 2, 2A like that 5 Inclines.

8. The case of the Petitioner Union that Sri Macherla Laxmaiah and T. Kumaraswamy were appointed in the Respondent Company in the year 1976 as General Mazdoors in Category I, they were asked to perform the duties of Bunkers Door Mazdoors since 12 years, although they were performing duties as Bunker Door Mazdoors, they were not paid the Categories II wages since Lorry Muccadam Bunker Doors Mazdoors are in the Category II, number of representations have been made to the Management but in vain, that Respondent-management has been replying that clarification is sought for from the Corporate Office and after receipt of clarification, decision will be taken. Hence this reference.

9. The contention of the Respondent-Management on the other hand that Sarvasri Macherla Laxmaiah and T. Kumaraswamy were appointed as General Mazdoors in the Company, they were posted on duty at Bunker Door, that there is no such designation in the Company like "Lorry Muccadam Bunker Door Mazdoor", that the workmen in dispute were doing the duties of Category II since 12 years in GDK-2A Incline, the allegation the Bunker Door Mazdoors are required to supervise the loading of lorries is totally false, some of the lorry Muccadams of the Company raised a dispute stating that they are supervising, that no supervision work will be given to a General Mazdoor, that Category I nature of job is purely an unskilled job and the bunker door mazdoors are also general mazdoors, that the allegation as they are discharging the duties of Bunker Door Mazdoors they are entitled to Category II wages is not correct, that the allegation that the workmen are put to severe financial difficulties due to non-placement in Category II is not correct, that the allegation Bunker Door Mazdoors are given Category II is totally false, that it may be noticed lorry muccadams/Bunker Door Mazdoors is different from Bunker Door Mazdoor, hence there are no merits in this case.

10. At the very out-set the allegation of the Petitioner-Union that similarly situated employees in GDK No. 5 and 5A Inclines, namely Sarvasri Mohd. Ankoosh, Valla Veeraiah and Ajit Singh were promoted to Category-II to work as Lorry Muccadam/Bunker-Door-Mazdoor with effect from 1-8-1978. A reading of Ex. W4 would reveal that Sri Mohd. Ankoosh, General Mazdoor, Valla Veeraiah, Coal Filler and Ajit Singh, GDK No. 5 Incline were promoted to Category II to work as Lorry Muccadam/Bunker Door Mazdoor at GDK No. 5 Incline w.e.f. 1-8-1978. Their duties are to work as per the instructions of the superiors from time to time, they will be fully responsible for lorries and their arrangements (i.e. if they are not there they must inform superior, if necessary to CSP and arrange), they should ensure prior loading of lorries, they will keep the area below and around bunker clean and tidy, they will issue challans for all lorries, they will report to their superiors any defect they notice in the bunker doors, gears etc. These are the work the above promoted workers should perform. The evidence of W.W1 is that he is working as Bunker Door Mazdoor since 1980 onwards, he was discharging the duties of Category II, he may be promoted to Category II from Category I. In cross examination of W.W1 he deposed that there is job description for lorry muccadam but there is no description given for Bunker Door Mazdoor. He further deposed that wherever there is no full work for lorry muccadam double designation was given to make use of them as Lorry-muccadam/Bunker Door Mazdoor. As Bunker Door Mazdoor he note down the lorry coming for loading. It is incorrect to suggest that lorry muccadam/bunker door mazdoor is carrying on both the duties and as lorry muccadam is a higher category that category wage is paid to the workman i.e. Category II. Whenever a lorry comes for loading the coal, he opens a door and the coal automatically load the lorry. Later he prepares a challan. It is not true to suggest that the Bunker Door Mazdoor only opens and closes the door of bunker and he never discharged lorry muccadam's job. So from the above evidence, it is clear that Sarvasri Mohd. Ankoosh, Vallala Veeraiah and Ajit Singh were promoted to Category II to work as Lorry Muccadam/Bunker-Door Mazdoor with effect from 1-8-1978. Similarly these concerned workmen in this dispute are also entitled for similar promotion from 1-8-1978. It is pertinent to note that during the conciliation proceedings, the Management informed that clarification is sought from the Coal India Limited, so as to assess as to what Category is being given to the workman in their Organisation. Hence sought for time to submit their views. It is clear that the Respondent Management did not dispute that the workmen are not working as Bunker-Door Mazdoors from 1978. It is seen that Bunker Door Mazdoors are given Category II wages in the Singareni Collieries Company Limited also. Hence I find that the concerned workmen in this dispute are liable for promotion to Category II from 1-8-1978 although the Respondent-Management extracting same work as that of Bunker Door Mazdoors Category II from these two concerned workmen.

11. In the result, the action of the Management of Singareni Collieries Company Limited, Area-I, Ramagundam Divi-

sion in not promoting S/Sri Macherla Laxmaiah and T. Kumaraswamy, General Mazdoors GDK 2A Incline Category II as Bunker Door Mazdoors is not justified. These two concerned workmen are entitled for promotion to Category II Bunker Door Mazdoors w.e.f. 1-8-1978 with all consequential benefits including arrears of salary.

Award passed accordingly.

Typed to my dictation, given under my hand and the seal of this Tribunal, this the 9th day of February, 1994.

Y. VENKATACHALAM, Industrial Tribunal-I

#### Appendix of Evidence

Witnesses Examined  
for Workmen :  
W.W1 T. Kumara  
Swamy

Witnesses Examined  
for Management :  
M.W1 Mohd. Iqbal.  
M.W2 B. Chandru

#### Document marked for the Workmen/Petitioner :

- Ex. W1 9-8-88—Representation.
  - Ex. W2 12-4-89—Failure Report.
  - Ex. W3 2-9-88—General Letter dt. 2-9-88 issued by the Respondent.
  - Ex. W4 31-8-78—Xerox copy of the promotion as Bunker Door Mazdoors in respect of S/Sri Mohd. Ankoosh, V. Veeraiah and Ajit Singh.
  - Ex. W5 21/23/11/79—Xerox copy of the office order promoting S/Sri R. Rajan, M. Komariah and B. Rajan.
- Documents marked for the Respondent/Management :
- Ex. M1 5-8-90—Office Order Upgrading 36 various categories of people in Singareni Collieries Company Limited.
  - Ex. M2 9-2-90—Office Order with regard to Upgradation promotion to 220 workmen of various categories.

नई दिल्ली, 24 फरवरी, 1994

का.आ. 765.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इन्डिय सी.एल. के प्रवन्धतंत्र संबंधित नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई न. 1 पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार का 24-2-94 को प्राप्त हुआ था।

[संख्या एल-22012/392/90 आई आर सी-II]]

राजालाल, ईस्क अधिकारी

New Delhi, the 24th February, 1994

S.O. 765.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bombaf No. I as shown in the Annexure. in the industrial dispute between the employers in relation to the management of W.C. Ltd. and their workmen, which was received by the Central Government on 24-2-1994.

[No. L-22012/392/90-IR (C-II)]

RAJA LAL, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL NO. 1 AT BOMBAY

## PRESENT :

Justice Shri R. G. Sindhakar, Presiding Officer.

Reference No. CGIT-1/100 of 1990

## PARTIES :

The Employer in relation to the Management of Western  
Coalfields Limited, Ghugus Sub-Area,

## AND

Their Workmen.

## PRESENT :

For the Employer—Shri Shashi Advocate.

For the Workmen—Shri Pendre, General Secretary,  
Lal-Bavta Koyla Kamgar Union.

INDUSTRY : Mining. STATE : Maharashtra.

Bombay, the 7th day of February, 1994

## AWARD

The Government of India, Ministry of Labour has made the following reference to this Tribunal for adjudication under Section 10(1)(d), read with Section 2-A of the Industrial Disputes Act, 1947, (hereinafter referred to as the Act).

Whether S/Shri Rajanna Rajamallu, Birbal Mukunda Haate, Yelleweni Mallayya Laxman, Munkar Bhumayya Sobayya, Medshellli Yellaya Maisaya, Medshellli Mandayya Maisayya and Jang Odel Chandraya—Sweeping Mazdoor are entitled for the continuity of service and regularisation in Mazdoor category-I from 1986 in view of their illegal termination of services without any letter by the Sub-Area Manager Ghugus Sub-Area of M/s. W.C. Ltd., P.O. Ghugus, Distt. Chandrapur (MS). If not, to what relief the concerned workmen are entitled ?"

2. The General Secretary, Lal Bavta Koyla Kamgar Union has filed the statement of claim. It is stated therein that the persons mentioned in the schedule have been working without any letter of appointment, since 1985, and they continued to work as Sweepers till May 1987. In 1987, without giving them any letter of termination, services were terminated they have been asked to discontinue. It is contended that they had from May 1985, within a year worked for 240 days. They were being marked present in the morning, and on the basis of that, they were being paid on the pay day their wages. According to the Statement of claim, since they worked for more than 240 days, within a year, they are covered by the provisions of Section 25-B of the Act. The Management failed to comply with the provisions of Section 25-F in as much as it had not given any notice, not any wages. No record could be produced, because the Management did not give any appointment letter. Identity Card, Medical Card, Pay Slip etc.

3. According to JBCCI, this job is described as unskilled at Sl. No. 19, Page No. 8. This is a permanent type of work, and the grievance is that they should be absorbed permanently with effect from May 1985 and should be given Identity Card etc.

4. On behalf of the Management, written statement has been filed. It has been contended that these persons were never in the employment. It contended that this Union cannot raise this dispute, because in the year 1986, this Union was not in existence, and the persons in the schedule were never members of this Union. It had no branch in Ghugus Sub-Area or Wani Area and it had no substantial following, and on all these grounds, the reference is liable to be rejected as it would be then an individual grievance. It is then contended that the Central Government has assumed certain facts and on that basis the reference is made without application of mind, and therefore, it is bad because the facts assumed are in dispute.

5. It has been then contended that in the year 1986, the INTUC Union supplied a list of workmen who were said to be working as Sweepers, and have subsequently arrived at a Settlement, and therefore, there was no dispute now remaining for adjudication. It is also contended that now there is no system of garbage removal and therefore, the question of giving employment does not arise. It was contended that as per the settlement arrived at with the INTUC Union, employment was provided to the persons mentioned in that list, and the names of these persons mentioned in the schedule were not given by the INTUC Union. It is contended that it is raised at a very late stage. The Management denied that any of the persons in the schedule were employed since 1985. It is contended that the question of termination never arose for they were never appointed. A procedure has been prescribed for making appointment, and the persons mentioned in the schedule are seeking appointment without following that procedure by a back door. Prayer for rejection is made.

6. Rejoinder has been filed on behalf of the Union, and, rejoinder to that has also been filed by the Management.

7. The contention that the present Union cannot espouse the cause is said to be replied by referring to the provisions of Section 36 (ii) of the Act. It is then stated that the reference has not been properly styled, and another reference bearing No. CGIT-99 of 1990, made for adjudication and pending on the file of this Tribunal is, according to the Union under similar circumstances.

8. The contention of the Union is that, these persons were working from 1986, and that they have put in 240 days of work in a year and dismissed arbitrarily without following the provisions of Section 25-F of the Act. Therefore, the termination is illegal. Now, this contention is to be examined in the light of the denial by the Management of the fact that they were never employed. The Union has not produced any material on record to show that they worked for 240 days in 12 calendar months preceding the date of termination, because, according to the Union, they were not given any letter of appointment.

9. Section 25-F applies to a case, where, the workman who has been in continuous service, for more than one year has been retrenched. Continuous service has been defined under section 25-B of the Act, and it says that, a workman shall be deemed to be in continuous service, if within a period of 12 calendar months, preceding the date of termination, he has actually worked for not less than 190 days in the case of workmen employed in underground mines and 240 days in other cases. There is, as I stated earlier, no record to show this. Section 25-B (2) is not attracted because that is not the case of the union either. The Union's case is that they have worked for more than 240 days in the period of preceding 12 calendar months. If that be so, the provision of Section 25-F is not attracted.

10. In this connection, one has to turn to the schedule, and it does not speak of retrenchment without following the procedures prescribed by law. It poses a question as to whether these workmen are entitled to continuity of service and regularisation with effect from 1986 in view of their illegal termination of service without issuing any letter by the Sub-Area Manager, Ghugus. The Management's reply to this, is, that the assumption that they were working from 1986 was not correct and there was no material to show that they had so worked. In this connection, the Management has submitted that there was a settlement reached between the Management and the Rashtriya Koyla Khadhin Mazdoor Sangh, on the point of absorption of the workmen who were doing the job of Sweeper at Ghugus Sub-Area, and the said Union had submitted a list of 78 persons dated 14-5-1986, who have been working according to the Union at Ghugus Sub-Area. The persons named in the schedule are shown in that list at Sl. No. 33, 39, 43, 46, 53, 70 and 72. Thereafter, a settlement has been reached on 17-9-1989, and as a result of this settlement, it is found that demand was raised for regular/permanent employment to certain persons who were being engaged on sweeping job at Ghugus and Mairi Group, under the Minimum Wages Act. According to the Union, these persons were being engaged for last many years, as Casuals but were discontinued with effect



from January 1986, and that these persons should be provided with permanent job as the Management has now got requirement of sweeping personnel. The Management contended that they were taken purely on casual basis and that they do not have any right or claim for permanent job. Thereafter, there was a discussion at length and it was observed that recently sanction for recruitment of sweeping personnel had been received from the WCI Headquarters and in view of this in the interest of harmonious industrial relations and as a special case, it was agreed in the terms of the settlement that :

"Those persons who have put in 150 days or more attendance either in the year 1984 or 1985 on sanitation job in a particular unit shall be considered for appointment as sweeping Mazdoor against the sanction recently communicated by the Headquarters."

Below this is a list of persons who have put in more than 150 days of attendance in the year 1984 or 1985, and they were to be offered appointment and were to be kept on probation for 6 months. The names of the persons in the schedule are not to be found in that list mentioned under the settlement. It is, therefore, obvious that, though they have stated that they have worked for more than 150 days, they have not. No documents have been produced on behalf of the Union. The Management contends that as a result of this, those persons can be said to have not put in the requisite number of days attendance, and, therefore, not eligible for claiming appointment on permanent basis. The Management's case is, that, the Management has stopped appointment of such Sweepers, and, therefore, it was not possible to absorb some persons even though they were included in terms of the settlement.

11. It is further stated that in the year 1986, Shri Pendre was removed from the CITU Union, and thereafter he formed a new Union called the Lal Bavia Koyla Kamgar Union. After the settlement in 1986, with the Rashtriya Koyla Khadhan Mazdoor Sangh, no Unions had any dispute pending. As stated earlier, right from the time, the list was given in May 1986, and the settlement dated 17-9-1989, no grievance was made by these workmen and no demand was made to repudiate the agreement. The Management therefore, rightly stated that this settlement arrived at between the Management and the Union shall be binding on the parties to the agreement, under Sections 18 and 19 of the Act, Sub-Section (1) of Section 18 reads :

"A settlement arrived at by agreement between the employer and the workmen otherwise than in the course of conciliation proceedings shall be binding on the parties to the agreement."

Clause (d) of Sub-Section (3) of Section 18 reads :

"Where a party referred to in clause (a) or clause (b) is composed of workmen, all persons who were employed in the establishment or part of the establishment, as the case may be, to which the dispute relates on the date of the dispute and persons who subsequently, become employed in that establishment or part."

12. The Management contended that at the material time, when the settlement was reached on 17-9-1989, the Rashtriya Koyla Khadhan Mazdoor Sangh was the representative Union and with that Union the settlement was arrived at, and therefore, it is binding on the present workmen because of the provisions of Section 18(3)(d) of the Act. The contention of the Management is, that, the present Union has no right to espouse the grievance of the workmen mentioned in the schedule and that contention is based on the contention that it does not have any branch at Ghugus. It is also stated that it is not competent to take up the said dispute, it has not been shown that the Union has passed any resolution to take up the present dispute, making it an industrial dispute. In this connection, the Union has not produced any document. The constitution of the Union also does not authorise the Union to take up the disputes as are discussed in this reference. It is, therefore, not open in my opinion, to repudiate the settlement. Assuming that it is open to do so, even then, I find that this Union has not been able to establish its right.

13. Some more documents have been produced on behalf of the Union on record and it is to be seen whether they support the claim of the Union. First is dated 4-1-1989 it is in respect of a settlement between the Koyla Shramik Sabha (HMS) and the Management. It says that the Union had submitted a list of 26 persons out of which 9 persons were appointed on regular basis. The other document is dated 13-4-1989, this is regarding regularisation of Smt. Soper Shanta Bhai and 7 others. They were working as Mud Pallet Makers.

14. The document dated 6-3-1990 is in respect of ex-casuals. They were working in the Wanj Area. They were 13 in number. A settlement was arrived at in this case also.

15. Considering all this material on record, I find, that the claim of these persons for regularisation is not justified, and, Award will have to be accordingly made.

16. Reference disposed off, Award accordingly.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 24 फरवरी, 1994

का.आ. 766 ;—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार उल्लू. सी.एल. के प्रबन्धनत्र संसद नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई नं. 1 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24/2/94 को प्राप्त हुआ था ।

[संख्या एल-22012/355/90-आई आर(सी-1)]

राजा लाल, ईस्क अधिकारी

New Delhi, the 24th February, 1994

S.O. 766.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bombay No. 1 as shown in the Annexure, in the industrial dispute between the employers in relation to the management of W.C. Ltd. and their workmen, which was received by the Central Government on 24-2-1994.

[No. L-22012/355/90-IR (C-II)]

RAJA LAL, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, BOMBAY

PRESENT :

Shri Justice R. G. Sindhakar, Presiding Officer.

Reference No. CGIT-99 of 1990

PARTIES :

Employers in relation to the management of Western Coalfields Ltd. (Ghugus Sub-Area)

AND

Their Workmen.

APPEARANCES :

For the Management—Shri Shashi, Advocate.

For the Workmen—Shri Pendre.

INDUSTRY : Mining

STATE : Maharashtra

Bombay, the 10th day of February, 1994

#### AWARD

Yet another reference on the same lines bearing No. 99 of 1990 has been made by the Government of India, Ministry of Labour, New Delhi, by letter of even date.



"Whether Shri Gampa Rajayya Kumarayya, Shri Mathangi Shankari Narayya, Shri Mikel Ravindra Sarayal, Shri Sindeki Sarayya Narsayya and Shri Boyini Rajayya, Sweeping Mazdoors are entitled for the continuity of service and regularisation in first category from 1987 in view of their putting regular services from 1986 onwards without any appointment letter by the Sub-Area Manager, Ghugus Sub-Area of M/s. W.C. Ltd., P.O. Ghugus, Dist. Chandrapur (MS). If not, to what relief the concerned workmen are entitled?"

2. Same questions have been raised by the General Secretary, Lal Bavta Koyla Karmgar Union, in respect of these five workmen mentioned in the schedule. They were according to the Union working till May 1987 without any appointment letter and again their services were terminated without any notice or compensation. Breach of section 25-F of the Industrial Disputes Act has been urged that they had put in more than 240 days of service in a year and it was agreed that those who have put in more than 150 days are entitled for permanency benefit. Some more contentions have been raised, and submissions in writing have also been made on behalf of the management. It is not, however necessary to deal with them in view of the fact that they are similar to those raised in other reference bearing No. CGIT-100 of 1990. It is seen from the documents produced on record that they have not put in 150 days of continuous service in the year 1984 or 1985. For the same reasons I have not accepted the claim of the workmen in reference No. 100 of 1990, I find that the workmen in this case also are not entitled to the relief asked for. Award accordingly.

R. G. SINDHAKAR, Presiding Officer

नई दिल्ली, 24 फरवरी, 1994

का.प्रा. 767 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार इन्ड्यु.सी.एल. के प्रबन्धतंत्र के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निविष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, बम्बई नं. 1 के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-2-94 को प्राप्त हुआ था।

[एल-22012/505/91-आई आर (सी-II)]

राजा लाल, डेस्क अधिकारी

New Delhi, the 24th February, 1994

S.O. 767.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award of the Central Government Industrial Tribunal Bombay No. I as shown in the Annexure, in the industrial dispute between the employers in relation to the management of W. C. Ltd. and their workmen, which was received by the Central Government on 24-2-94.

[No. I-20012/505/91-IR (C.II)]

RAJA LAL, Desk Officer  
ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL NO. I, BOMBAY

PRESENT :

Shri Justice R. G. Sindhakar,  
Presiding Officer.

Reference No. CGIT-53 of 1992

PARTIES :

Employers in relation to the management of New  
Mairi Colliery of W. C. Ltd.

AND

Their Workmen

644 GI/94—10

## APPEARANCES :

For the Management.—Shri G. S. Kapoor, Advocate.

For the Workmen.—Shri Pendre.

INDUSTRY : Mining. STATE : Maharashtra.  
Bombay, dated the 9th day of February, 1994

## AWARD

By letter dated 2-7-1992 the Government of India, Ministry of Labour, New Delhi, referred the following dispute to this Tribunal for adjudication under section 10(I)(d) of the Industrial Disputes Act, read with section 2(A).

2. It is to the following effect :—

"Whether Shri Ambala Narisia Ankush, Brother of Late Shri Ramlu Ankush, Loader is entitled to get the service as dependent from the Sub Area Manager, New Majri Colliery, W. C. Ltd., Wani Area, Chandrapur ? If so to what relief he is entitled to and from what date ?"

3. Shri Ramlu Ankush was an employee working on the Establishment of W.C.L. working as an Underground Loader with effect from 30-9-1979 till 27-2-1981. He died on 28-2-1981. The present claim has been made on behalf of Smt. Meerabai, widow of Shri Ramlu Ankush, by the Lal Bavta Koyla Karmachari Union, seeking a direction to provide employment to his younger brother Shri Ambala Narisia Ankush (hereinafter referred to as Shri Narisia).

4. According to the statement of claim, the family of Shri Ramlu Ankush (hereinafter referred to as the deceased) consisted of his wife, Smt. Meerabai, younger brother Shri Narisia and brother-in-law Shri Dasrap Prabhudas (hereinafter referred to as Shri Dasrap). Younger brother Shri Narisia was not maintaining good health and therefore, Smt. Meerabai made an application for providing employment to her brother Shri Dasrap. However, that application was rejected on the ground that Shri Dasrap was not a member of the family, and therefore, not entitled. It is further stated that Shri Narisia was not well and therefore there has been delay in making this claim. It is further stated that after Shri Narisia regained his health, the widow Smt. Meerabai and brother Shri Narisia presented the relevant papers alongwith Shri Narisia's photo before the management on 11-9-1990. On 3-4-1991, after waiting for quite sometime, for the management to take a decision, the present claim was lodged with the Labour Commissioner under the Act.

5. According to the statement of claim, the claim was rejected on the ground that between January 1980 and December 1980, the deceased had put in only 187 days of work, and therefore, his dependent was not entitled for employment. It was maintained on behalf of the widow Smt. Meerabai and Shri Narisia that he had put in 190 days of work as Underground Loader and asked for the registers which were not produced by the management. It is the contention in the statement of claim that the brother of the deceased is entitled to employment under the provisions of the agreements arrived at.

6. This claim was resisted by written statement filed on behalf of the management. It has been stated therein that the reference is not maintainable, as it is not covered by section 2(K) of the Act. Shri Narisia is not a workman, and, therefore, there is no Industrial Dispute, because there cannot be any community of interest. It is further contended the present union has no locus standi, and it cannot raise the dispute as it is not a union of the Colliery nor it has any significance following amongst the workmen of the Colliery. For raising an industrial dispute, it must have substantial support and following of the co-workmen. There is no resolution to the knowledge of the employers passed by the union authorising the General Secretary to espouse the present dispute on behalf of the union. It has been further contended that before raising the dispute with the Labour Commissioner, a grievance was not made to the employers, and therefore also there was no dispute. It is also contended that Shri Ramlu died in 1981, and after a lapse of 11 years the dispute has been raised making it an overstate dispute. The relevant record is not preserved for that length of time. It is also contended that Shri Ramlu was

not a permanent workman and was only a casual workman and therefore, the present claim was not maintainable. It was denied that Shri Narisia was a dependent of Shri Ramlu. It was further stated that no reference was made to the JBCCI and therefore, no benefit could be claimed under the agreement. The other allegations that he was a regular and permanent employee, Shri Narisia is a dependent are denied. It is stated that he was not residing with the deceased nor was he fully dependent on the income of the deceased and his name was also not shown as one of the dependents while seeking employment for Smt. Meerabhai's brother Shri Dasrap.

7. Prayer for dismissal is made.

8. Issues have been framed and they are set out below together with the findings.

ISSUES	FINDINGS
1. Whether the 'dispute referred is not an industrial dispute?	Yes, it is not an industrial dispute.
2. Whether the present 'dispute is made by a union competent to make it?	No.
3. Whether the reference is premature as he has not exhausted his remedy.	No.
4. Whether workman is not entitled to the relief asked for on the ground that he was not a permanent employee.	No. not on that ground

9. It is not in dispute that Shri Ramlu was an employee, and he died on 28-2-1981. The point that has been raised is that he was not an employee, whose dependent can claim an employment on his death, because he was not a permanent employee. Relevant provisions of employment to dependents is in section 9.4.0 and 9.4.1, which is to the following effect :—

"Employment would be provided to one dependent of workers disabled permanently and those who meet with death while in service."

It is not mentioned therein that it would be provided only in respect of workers who are permanent. It is therefore, argued on behalf of Shri Narisia that the management cannot deny the benefit of this provision to the heir of Shri Ramlu, even assuming that he was not a permanent employee. On behalf of the management the letter addressed by the Additional Chief Personnel Officer on 16-9-1980 is referred to. It has been stated therein, in para 2, that in case of natural death of a Casual/Badli, they are not under obligation to provide employment to his dependent. In such a case, the claim may be rejected outright. It is further stated that in case of death resulting from an accident during the course of work, they are under obligation to provide employment to one dependent of the deceased employee. Another letter dated 7-1-1988 addressed by the Personnel Manager to the Sub Area Manager, Ghugus[Majri/Rajur Sub Area, says that as per clause 9.4.1 to 9.4.4 dependents of Casual Employees should not be considered for employment and letter dated 4-11-1977 addressed by OSD/JBCCI to the Additional Chief Personnel Manager, W.C.L. is reproduced below that. That letter also states that the dependents of Casual Employees should not be considered for employment as per clause 9.4.1 to 9.4.4 of NCWA-III. The management therefore, contended that reference should have been made to JBCCI for interpretation of the relevant clause, in terms of clause 12.3. However, in my opinion, that will not debar this Tribunal from interpreting clause 9.4.1. As I stated earlier, this clause does not say that the workman should be a permanent workman and the dependents

of Casual/Badli workmen are not entitled to the benefit of this clause.

10. On the point as to whether he was only a Casual/Badli or a permanent employee, there is good deal of dispute. It is the contention of the dependent that he was working in the vacant post as an Underground Loader on permanent basis and that he had put in more than 190 days of work. However, there is no evidence in support of the claim that he had put in more than 190 days of work. It is also stated in the statement of claim that the claim was rejected on the ground that he had put in only 187 days of work. Now, at this distance of time, it is not possible for the management also to produce any evidence. It is to be noted that the claim made for employment to the brother-in-law of the deceased was rejected in the year 1986 and thereafter nothing has been done till 1990 by the widow for employment to the other dependent. I therefore, find that on this ground, there is no material to show that he was a permanent employee. But, as I stated earlier, even if he was a Casual/Badli employee, the dependent could have claimed the benefit of that clause, if the other conditions were fulfilled.

11. The contention on behalf of Shri Narisia is that he is entitled to employment under the clause and the management's contention is that he is not covered by that clause. Clause 9.4.2 (i) reads;

"Dependent for this purpose means the wife husband as the case may be, unmarried daughter, son and legally adopted son. If no such direct dependent is available for employment, younger brother, widowed daughter/widowed daughter-in-law or son-in-law residing with the deceased and almost wholly dependent on the earnings of the deceased may be considered to be the dependents of the deceased"

Now, he would come in as a younger brother, only if the first category is exhausted and it is not shown why and how Smt. Meerabai, the widow of Shri Ramlu being alive and signatory to the statement of claim is not available for employment. This clause is quoted in the statement of claim and yet, it is not stated as to why she is not available for employment.

12. It is also to be seen whether the brother Shri Narisia was residing with the deceased at the material time and besides the bare statement, there is no evidence to show that. On the contrary, the management has stated that in the earlier claim made on behalf of Smt. Meerabai's brother nowhere it was stated that Shri Narisia was a member of the family.

13. Apart from this, it is also not shown that he was not fully dependent, almost wholly dependent on the earnings of the deceased. It is to be noted that the deceased died in 1981 and the present claim has been made in the year 1990 on behalf of Shri Narisia. The earlier claim was rejected in the year 1986 and that was in respect of the deceased's brother-in-law. Some material ought to have been adduced to show that the said claim was specifically made that he was residing with the deceased and was almost wholly dependent on the earnings of the deceased. I therefore, find that on this ground, the claim of Shri Narisia is liable to be rejected.

14. It has been contended that he was not a workman within the meaning of the section 2(s) of the Act, which stated that;

"Workman means any person (including an apprentice) employed in any industry to any manual, unskilled, skilled, technical operational, clerical or supervisory work for hire or reward, whether the terms of employment be express or implied and for the purpose of any proceedings under this Act, in relation to the industrial dispute, includes any such person who has been dismissed, discharged or retrenched in connection with or as a consequence of that dispute, or whose dismissal, discharge or retrenchment, has led to that dispute but does not include any such person."

I do not think that it is necessary to deal with this aspect in view of my finding that Shri Narisia is not entitled to claim the benefit of clause 9.4.1, because it is not shown

that he was residing with the deceased at the time of his death and that he was almost wholly dependent on the earnings of the deceased. It is not shown how he can has dispute and therefore, not an industrial dispute within the shown to be not available for employment.

15. A point has been raised that this is an individual dispute and therefore, not an industrial dispute within the meaning of section 2(k) of the Act. As against this, the argument is that, this dispute has been taken up by the union known as the Lal Bavra Koyla Karamachari Union and therefore, it could not be thrown out on the ground that it is an individual dispute. It must be noted that it is not covered by section 2(k) of the Act. However, it has been argued on behalf of the management that the union has no locus standi to espouse the present dispute because, it has no following of the workman, at any rate, very insignificant following of the workmen working in the New Majri Sub Area. It is further stated that there is no resolution passed by the union supporting the said individual dispute, so as to make it an industrial dispute. It is for this reason, that the management called upon the union to produce the documents in proof of the fact that it has following in that colliery and that it proposed to support the grievance of the workman.

16. In reply to this, it has been contended that this union has been registered under the Trade Unions' Registration Act. It was also contended that it has already espoused several disputes. It is further stated that the registration certificate and the membership receipt of the workman has been produced and Shri Pendre appearing on behalf of the union declined to produce certain documents called for by the management, on the ground that they were not necessary. In my opinion, it was necessary for Shri Pendre to produce those documents to justify his claim that it is an industrial dispute. In this connection, three reference disposed off by CGIT-2, Bombay accepting similar contentions raised on behalf of the management were referred to. I am of the view that this is one more ground on which the claim is liable to be rejected. Shri Ambale is not entitled to any relief though not on the ground that he is not a permanent employee.

17. The contention is that the union did not take up the matter with the JBCCI or its sub-committee and therefore the reference is bad. I find that the clause 12.3 casts an obligation on the management, not on the union, to make such a reference in case of doubtful interpretation of the clause of agreement. The reference made at the instance of union could be rejected on the ground. Award accordingly with no order as to costs.

R. G. SINDHAKAR, Presiding Officer.

नई दिल्ली, 24 फरवरी, 1994

का.ग्रा. 768 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ इंडिया के प्रबन्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, मुंबई के पंचपट को प्रकाशित करती है, जो केन्द्रीय सरकार को 23-2-94 को प्राप्त हुआ था।

[संख्या एल-12012/819/91-आईआर.बी III/आईआर.बी I]

राजा लाल, डेस्क अधिकारी

New Delhi, the 24th February, 1994

S.O. 768.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the Award of the Central Government Industrial Tribunal, Bombay as shown in the Annexure, in the industrial dispute between the employers in relation to the management of State Bank of India and their workmen, which

was received by the Central Government on the 23rd February, 1994

[L-12012/819/91-I.R.B. III/IR. B.I.]

RAJA LAL, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I AT BOMBAY

PRESENT :

Shri Justice R. G. Sindhakar, Presiding Officer.  
Reference No. CGIT-4 of 1992

PARTIES :

Employers in relation to the management of State Bank of India,

AND

Their workmen.

APPEARANCES :

For the Management.—Shri Dadu Sachdev.

For the Workmen.—Shri Nandwar, Advocate.

INDUSTRY : Banking.

STATE : Maharashtra.

Bombay, the 7th day of February, 1994

AWARD

The Government of India, Ministry of Labour, New Delhi has made the following reference by letter dated 23rd January, 1992, for adjudication under section 10(1) of the Industrial Disputes Act, 1947.

"Whether Shri S. T. Salkade was the workman of the State Bank of India? If so, whether the action of the State Bank of India in terminating the services of Shri Salkade w.e.f. 1st April, 1988 was justified? If not, to what relief Shri Salkade is entitled to "

2. Statement of claim has been filed on behalf of the workman Shri Trimbakrao Salkade, and it has been stated therein that by an agreement dated 1st February, 1977, the employers M/s. State Bank of India engaged the workman to carry out a specific job of collecting daily deposits and opening accounts of daily deposits of the customers within the jurisdiction of Wani Area of State Bank of India. This scheme was known as 'Janata Deposit Scheme'. Shri Salkade was collecting daily deposits from the customers who had opened accounts through the workman Shri Salkade. The deposits so collected were deposited on the following day in the branch of the employer and due credit was given in the Pass Book issued by the Bank. He worked since 1977 till 1988.

3. The daily deposit collected during this period went upto Rs. 5,53,000 in the year 1987 from Rs. 1,79,996 in the year 1982. He has given in Exhibit 'A' statement of collection made by him during the period of 5 years, i.e. 1977 to 1981.

4. He further contended that he was asked by the Bank Management by letter dated 11th August, 1987, not to open new accounts until further order. An amount deposited by a new customer on 10th August, 1987 was rejected and returned by the Bank to the customer on 11th August, 1987, since new account could not be opened and when asked for the reasons, no satisfactory reply was given by the Branch Manager. He was being paid 3 per cent commission of the deposit collected by him. Due to non opening of new accounts, the workman started suffering loss in his commission. Aggrieved by this, the workman took up the matter with the Regional Manager, and ultimately, the present reference has been made by the Ministry of Labour to this Tribunal.

5. He states that because of the discontinuation of his services by the Bank, he has lost to the tune of Rs. 2,000 per month, since April 1988 on the basis of the commission agreed upon. If it was necessary to discontinue his services of collecting the Daily Deposits, he should have been absorbed by the Bank. By 1988 April, the existing accounts ceased to operate due to efflux of time and he is without any job. According to him, in similar dispute between the management of Indian Bank, and the workmen engaged in Tiny Deposit Collection Scheme, which is similar to the Janata Deposit Scheme, the National Industrial Tribunal held in favour of

the Collectors, and the said award was upheld by the Madras High Court, and he also relied upon the same. He has therefore, prayed for delivering an award directing the Bank management to pay him at the rate of Rs. 2,000 per month. He further prayed that the Bank has not followed the principles of natural justice and also the provisions of the Industrial Disputes Act, have not been complied with, and therefore, he is entitled for reinstatement in the services of the Bank. He further sought a direction pending hearing of the present reference, the Bank to pay him at the rate of Rs. 2,000 per month.

6. The management of State Bank of India filed its written statement contending that the present reference is not tenable on the ground that Shri Salkade was not a workman under section 2(s) of the Industrial Disputes Act, 1947 and therefore, the dispute is not an Industrial Dispute under section 2(k) of the Industrial Disputes Act, 1947, and that he was not entitled to the protection of Section 2(A) of the Act.

7. Elaborating the said contentions, it has been stated that Shri Salkade was not a workman but was an independent contractor engaged by the Bank, and the relationship between him and the Bank was the one between Principal and Agent, and not that of Master and Servant. It is according to the Bank, a contractor for service, and not a contract of service. It did not require any specific qualification for appointment, such as there was no written test, Medical Examination, etc. for an appointment, that there was no necessity to attend the Bank regularly, unless he has collected deposits. Not required to sign any muster roll, no fixed working hours, no fixed hours of work, no fixed target with regard to the collection. There is no bar for taking more than one employment, part time/full time, which is otherwise prohibited in the case of regular employment. It was further stated that there is no immediate control over the workman, there was no condition as to how the work should be carried out, when, it should be, what should be the place, quantum, or quality etc.

8. It was contended that during the entire period of his service with the Bank, he has never applied for or allowed to avail the facilities provided by the Bank to its other regular employees, such as Leave Travel Concession, House Rent Allowance, Medical Allowance etc. It was also urged by the Bank management that Shri Salkade was not governed by any of the Awards such as Desai Award or Sastri Award or the various Bi-partite Settlements.

9. It is further contended that there was no termination of services, and therefore, there can not be any Industrial Dispute for adjudication under the provisions of the Industrial Disputes Act, 1947.

10. It is also stated that it is the practice of the Bank to engage agents for collection of deposits, and that he was asked only not to open new accounts and in the circumstances, the employer had given its justification.

11. Rejoinder has been filed on behalf of the workman and the contentions raised in the written statement have been refuted. It is not however, necessary to state in detail all those averments made in the rejoinder. Suffice it to say that it says that at no time the Bank gave reasons for discontinuing his services.

12. A copy of the agreement entered into in the year 1977 between the Bank management and Shri Salkade has been filed on behalf of the Bank management. It can be seen from the terms and conditions set out there in that, the agreement was reached on 1st February, 1977 and the Bank agreed to appoint him as the Bank's publicity and collection representative, in respect of the Janata Deposit Scheme that the Bank had framed to mobilise deposits. He was to furnish a Cash Security Deposit of Rs. 1,000, and he had deposited the said amount of Rs. 1,000. It was agreed that he would be bound by the Rules and Regulations framed by the Bank from time to time and that the Rules that are presently in force are set out at Annexure 'A' to the agreement. The material portion of the terms and conditions of the agreement read thus :

"The Deposit Collector shall visit houses, shops, establishments etc. in the area/locality assigned to him/her. The Deposit Collector shall collect only depo-

sits under the Janata Deposit Scheme, and nothing else on behalf of the Bank."

It further stated that :

"The Deposit Collector shall not during the continuance of the agency, do any work or render any service of the type or nature contemplated under these presents for any other Bank, Co-op. society, friendly society, or association, savings promotion agency or any other financial institution or accept any whole time or part time engagement of this type either on remuneration or on gratuitous basis from any institution by whatsoever name called."

Para 12 of the said terms and conditions says that :

"The Deposit Collector shall at all times during the continuance of the agency, honestly and diligently discharge or fulfil his/her duties and/or obligations to the Bank, in accordance with the rules, regulations directions of the Bank for the time being in force and to be issued/framed by the Bank from time to time."

13. The Bank was to pay him such remuneration by way of commission of the amount of deposits collected by the agent, at the rate fixed for this purpose.

14. Item No. 2, of Annexure 'A' to the agreement states that the Deposit Collector should always carry in Identity Card, bearing his photograph and signature on it, issued by the Bank. The Identity Card should be produced for verification by customers and/or officers of the Bank on demand, without any hesitation. The Deposit Collector was also authorised to initial the Pass Book on behalf of the Bank. In case the Identity Card is lost, it has to be reported to the Bank and he can get a duplicate card. The Deposit Collector was also provided with the Master Keys of the boxes issued by the Bank to the depositors. He was responsible for any consequence of loss of the keys of these boxes and in case of loss, he can get another one at his cost. He was to collect deposits only in respect of the Janata Deposit Scheme, and no other deposits on behalf of the Bank, and he was expected to carry out his duty as per the directions issued by the Bank from time to time. He is to give receipts duly signed by him on behalf of the Bank to the depositors. The amount which he collects was to be deposited in the Bank on the following working day, and in case of authorised absence, he was to nominate a reliable person as his representative, and for whose acts and omissions, he will be responsible.

15. Annexure 'B' to the said agreement provides for the remuneration payable to the Deposit Collectors.

16. I have already given above the terms and conditions under which Shri Salkade was appointed to work. It was submitted on behalf of the workman Shri Salkade, that the point in question has been very clearly decided in the case between the management of Indian Bank and the Presiding Officer, Industrial Tribunal, Madras and others, reported in 1 CLR, H.C. Mad. 1989, page No. 189. The question before the High Court of Madras was, whether the Tiny Deposit Collectors were workmen of the Bank, and it is observed by the High Court that the question whether the Tiny Deposit Agents are workmen or not has to be decided on the facts and circumstances of the case. The High Court came to the conclusion that the Tiny Deposit Agents were workmen of the Bank for the reasons stated therein. I find applying the said tests that the large numbers of tests apply to this case also.

17. The second point that has been raised on behalf of the Bank management is that the present reference is not maintainable, since there is no Industrial Dispute, as defined under section 2(k) of the Industrial Disputes Act, 1947. I do not think it is necessary to answer this point in view of the observation made above, and in view of the fact that this being a reference made by the appropriate Government to this Tribunal for adjudication.

18. The next point that has been raised is that, he is an independent contractor and not a workman of the Bank, for the reasons such as, he had the freedom to perform the job or to get the job done by others, he was not prevented from performing additional job or taking up alternate em-

ployment. It was also stated in this connection that the workman was running a Brick Manufacturing Unit. However, it can be seen from the Terms and Conditions of the agreement, that not only that he was permitted to take up any alternate part-time/full-time employment, during the continuance of the contract, but he was also prevented from taking some employment of a similar nature immediately after termination of the contract. It is also not correct to say that the payment made to the workman by way of commission is not remuneration. It is in fact styled as remuneration. The fourth point is however, absent here in the present case before me.

19. It has been further contended on behalf of the Bank management, that the decision of the High Court of Madras has been challenged before the Supreme Court of India. However, it is to be noted that the same is not yet reversed. The High Court has while deciding the case, considered various decisions in similar matters and arrived at the above conclusion.

20. Respectfully following the decision of the Madras High Court, in the case of the Tiny Deposit Agents, of Indian Bank, I hold that Shri Salkade was a workman.

21. It was then urged on behalf of the management that there is no dismissal and therefore, there is no industrial dispute. The point that arises for consideration here is whether the action of the Bank management amounted to termination of services. The contention is that he was only asked not to open new accounts in view of the revised policy. However, if reference is made to the Branch Manager's letter dated 24-12-1987 it will go to show that by this letter the Branch Manager sought permission of the Regional Manager as to "Whether it will be in order for me to terminate the services of Shri Salkade by giving him one month's notice as well as with due publication in the leading news papers." During the course of his rejoinder, he has maintained that the existing accounts ceased to operate due to efflux of time and now he has been without a job. According to me, this amounted to otherwise termination of his services. In this connection, Section 2-A is material. It reads thus :

"Whether any employer discharges, dismisses, retrenches or otherwise terminates the services of an individual workman, any dispute or difference between that workman and his employer connected with or arising out of such discharge, dismissal retrenchment or termination shall be deemed to be an industrial dispute notwithstanding that no other workman or any union of workmen is a party to the dispute."

Therefore, this goes to show that this is a category of "otherwise terminating the services" and therefore by fiction of law, by this deeming provision, his case would be a case of industrial dispute.

22. The only other point that remains for consideration is with regard to the relief Shri Salkade should be given. It is not a case, where he can be reinstated. He will have to be according to him, compensated, and he has in that connection made a claim at the rate of Rs. 2,000/- per month in para 22 of his rejoinder. The details of his earnings are given in para 28. He stated that he got in the year 1986 an average commission of Rs. 1604/- per month, he further stated that in the year 1987/88 it would have been increased due to the effective efforts of the party No. 2 and justified his claim of Rs. 2,000/- per month. This is not a case, where exact estimate could be made. From the statement annexed to the statement of claim, it would be seen that there is considerable variation in the income by way of commission that he was getting. In the year 1982, he got Rs. 5,788.36 and in 1983, it went up to 14,640.01, in the year 1984, it dropped to 11,236.76, in 1985 it once again shot up to 19,246.82, and in 1986, the amount remained near about the same as in the previous year, the total commission earned being Rs. 19,257.24. At the rate, it worked out to Rs. 1,500/- per month. It is to be remembered that his earning commission depends upon the Bank getting the benefit of his services in the form of deposits. The Bank has obviously not got such a benefit during all these years. Therefore, in my opinion, it is also in appropriate to award compensation on the basis of this calculation. In the case

of the Tiny Deposit Agents of the Indian Bank, the Court had calculated the amount of compensation at the rate of Rs. 100/- per month from 2-7-1987 till she was provided with an employment by the Management. In my view a compensation of Rs. 20,000/- would be just and proper in the facts and circumstances of this case which I award. Award accordingly.

R. G. SINDHAKAR, Presiding Officer.

नई दिल्ली, 28 फरवरी, 1994

का.ग्रा. 769 --सिने कर्मकार कल्याण निधि नियमावली, 1984 के नियम 3 के साथ पठित सिने कर्मकार कल्याण निधि अधिनियम, 1981 (1981 का 33) की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए केन्द्रीय सरकार, उपरोक्त अधिनियम के संचालन कार्य में उत्पन्न होने वाले मामलों के, जैसा कि केन्द्रीय सरकार द्वारा संदर्भित किए जाएं, सम्बन्ध में तथा जिसमें सिने कर्मकार कल्याण निधि के प्रयोजन से सम्बन्धित मामले भी शामिल हैं के सम्बन्ध में केन्द्रीय सरकार को सलाह देने के लिए निम्नलिखित सलाहकार समिति का गठन करती है, अर्थात् :—

अध्यक्ष                      श्रम राज्य मंत्री,  
कर्नाटक सरकार,  
बंगलौर

उप-अध्यक्ष                      कल्याण आयुक्त,  
(पदेन)                      श्रम कल्याण संगठन,  
बंगलौर

सदस्य

1. उप मुख्य निर्माता,  
फिल्म प्रभाज,  
सूचना एवं प्रसारण मंत्रालय,  
भारत सरकार,  
79-I, मुख्य सड़क, शेषाद्री पुरम,  
बंगलौर-560020
2. श्री रिचर्ड कैस्टेलिनो,  
एक्स-कार्पोरेटर,  
ओल्ड केन्ट रो, ब्रदटावर,  
बंगलौर-575001
3. श्रीमती जयमाला,  
सौन्दर्य फिल्मस,  
II फेज, 514, दूसरा स्ट्रेज,  
छठा ब्लॉक, बाणशंकरा,  
बंगलौर-560085  
(फिल्म निर्माताओं के प्रतिनिधि)
4. श्री के.सी.एन. चन्द्रशेखर,  
के.सी.एन. मूवी,  
कृष्ण क्रास, गांधीनगर,  
बंगलौर-560009  
(फिल्म निर्माताओं के प्रतिनिधि)

5. श्री आर. लक्ष्मण,  
श्री निधि प्रोडक्शन्स,  
25, शेषाद्री रोड,  
बंगलौर  
(फिल्म निर्माताओं के प्रतिनिधि)

6. श्री एम.ए. डेल्वी,  
सं. 27-20,  
15वां क्रॉस, लक्कासन्द्रा,  
बंगलौर-560030  
(सिने कर्मकारों के प्रतिनिधि)

7. श्री हसन रघु,  
सं. 220, सातवां क्रॉस, शास्त्री नगर,  
टी.आर. नगर पोस्ट,  
बंगलौर-560028  
(सिने कर्मकारों के प्रतिनिधि)

8. श्रीमती श्यामला,  
सं. 585, दूसरा क्रॉस,  
30वीं मुख्य सड़क, गिरिनगर,  
(बाणागिरिनगर), बी.एस.के.  
तीसरा स्टैज,  
बंगलौर-560085  
(सिने कर्मकारों के प्रतिनिधि)

सचिव कल्याण प्रशामक,  
श्रम कल्याण संगठन,  
बंगलौर

2. सलाहकार समिति का मुख्यालय बंगलौर में होगा।

3. पदेन सदस्यों को छोड़कर अन्य सदस्यों का कार्यकाल तीन वर्षों के लिए होगा।

[सं. यू-19012/2/90-डब्ल्यू-II(सी)]

आर.के. नस्ला, अवसर सचिव

New Delhi, the 28th February, 1994

S.O. 769 —In exercise of the powers conferred by sub-section (1) of section 5 of the Cine Works Welfare Fund Act, 1981 (33 of 1981), read with rule 3 of the Cine Workers Welfare Fund Rules, 1984, the Central Government hereby constitute as follows an Advisory Committee to advise the Central Government on matters arising out of the administration of the aforesaid Act, as may be referred to it by the Central Government including matters relating to the application of the Cine Workers Welfare Fund, namely :—

Chairman Minister of State for Labour,  
Government of Karnataka,  
Bangalore.

Vice-Chairman Welfare Commissioner,  
(Ex-Officio) Labour Welfare Organisation,  
Bangalore.

Members I. Dy., Chief Producer,  
Films Division,  
Ministry of I. & B.

Government of India,  
79-1 Main Road, Seshadri  
Puram, Bangalore-560 020.  
2. Shri Richard Castelino,  
Ex-Corporator,  
Old Kesh Road, Attavar,  
Mangalore-575 001.

3. Smt. Jayamala,  
Soundarya Films.

II Phase, 514, 2nd Stage,  
6th Block, Banashankari,  
Bangalore-560 085.  
(Representative of Film  
Producers)

4. Shri K.C.N. Chandrashekar,  
K.C.N. Movies,  
6th Cross, Gandhinagar,  
Bangalore-560 009.

(Representative of Film  
Producers)

5. Shri R. Lakshman,  
Sri Nidhi Productions,  
25, Sheshadri Road,  
Bangalore.  
(Representative of Film  
Producers)

6. Shri M.A. Delvi,  
No. 27-20,  
5th Cross, Lakkasandra,  
Bangalore-560 030.

(Representative of Cine-  
Workers)

7. Shri Hasan Raghu,  
No. 220, 7th Cross  
Shastri Nagar,  
T.R. Nagar Post,  
Bangalore-560 028.

(Representative of Cine-  
Workers)

8. Smt. Shyamala,  
No. 585, 2nd Cross,

30th Main Road, Girinagar  
(Banagirinagar) B.S.K.  
3rd Stage, Bangalore-  
560 085.

(Representative of Cine-  
Workers)

Welfare Administrator,  
Labour Welfare  
Organisation,  
Bangalore.

Secretary

2. The headquarters of the Advisory Committee shall be at Bangalore.

3. The tenure of the members, other than ex-Officio members, shall be for a period of three years.

[No. U-19012/2/90—W, II (C)]  
R.K. NARULA, Under Secy.